

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Notice of Public Hearing and Special Commission Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing and meeting for business on January 5, 1999, at 10 a.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

#### *Possible Drought Emergency Declaration*

Section 10.4 of the Delaware River Basin Compact provides that in the event of a drought or other condition which may cause an actual and immediate shortage of available water supply within the Basin, or within any part thereof, the Commission may, after public hearing, determine and delineate the area of the shortage and

declare a water supply emergency therein. For the duration of the emergency, the Commission could limit the extent to which water users may divert or withdraw water for any purpose. The Commission is considering whether current and developing conditions of water supply and demand require the declaration of a water supply emergency.

The purpose of this hearing is to permit the public to comment on these matters and to make any suggestions or recommendations concerning possible Commission actions.

There will be a business meeting of the Commission immediately following the hearing to consider possible Commission actions relating to the drought situation.

SUSAN M. WEISMAN,  
*Secretary*

[Pa.B. Doc. No. 98-2116. Filed for public inspection December 24, 1998, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

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

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-15-98	Southwest National Bank of Pennsylvania Greensburg Westmoreland County <i>To:</i> Southwest Bank Greensburg Westmoreland County Application represents conversion from a Nationally-chartered banking institution to a State-chartered banking institution.	Greensburg	Approved
12-15-98	Iron Workers' Savings and Loan Association Aston Delaware County <i>To:</i> Iron Workers Savings Bank Aston Delaware County Application represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.	Aston	Approved

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-10-98	Jonestown Bank and Trust Company Jonestown Lebanon County	1765 Quentin Road Lebanon North Cornwall Twp. Lebanon County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-15-98	1st Summit Bank Johnstown Cambria County	404 N. Center Avenue Somerset Somerset County	Approved
12-15-98	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	4010 Birney Avenue Moosic Lackawanna County	Approved

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-7-98	Northern Central Bank Williamsport Lycoming County	<i>To:</i> Dandy Mini-Mart Rte. 187 (Main St.) Rome Bradford County  <i>From:</i> Main Street Rome Bradford County	Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-14-98	Pennsylvania State Employees Credit Union, Harrisburg, and E.U.P. Employees Federal Credit Union, Edinboro Surviving Institution— Pennsylvania State Employees Credit Union, Harrisburg	Harrisburg	Filed
12-15-98	Philadelphia Telco Credit Union, Trevose, and Connelly Container Credit Union, Bala Cynwyd Surviving Institution— Philadelphia Telco Credit Union, Trevose	Trevose	Filed

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-2117. Filed for public inspection December 24, 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 comment period, will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

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

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

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

**PA 0057614.** Sewage, **David and Donna Rosenberger**, 6 Rosenberger Drive, Hilltown Township, Perkasie, PA 18944.

This application is for issuance of an NPDES permit to discharge treated sewage from the Rosenberger Residence STP in Hilltown Township, **Bucks County**. This is a new discharge to unnamed tributary of Morris Run.

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

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

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

*Other Conditions:*

The EPA waiver is in effect.

**PA 0056758.** Sewage, **Warrington Township**, 852 Easton Road, Warrington, PA 18976.

This application is for re-rate of an NPDES permit to discharge treated sewage from the Tradesville STP in Warrington Township, **Bucks County**. This is an existing discharge to Mill Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.33 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Nitrate and Nitrate (as N)		
(4-1 to 10-31)	9.5	19.0
Phosphorus (as P)		
(4-1 to 10-31)	2.0	4.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Copper	monitor/report	monitor/report
Dissolved Copper	monitor/report	monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Lead	monitor/report	monitor/report
Dissolved Lead	monitor/report	monitor/report
Hardness as CaCO <sub>3</sub>	monitor/report	monitor/report

The EPA waiver is in effect.

**PA 0055344.** Sewage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940.

This application is for renewal of an NPDES permit to discharge treated sewage from small flow sewage treatment plant in Upper Makefield Township, **Bucks County**. This is an existing discharge to dry swale to unnamed tributary of Jericho Creek.

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

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

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

The EPA waiver is in effect.

**PA 0050644.** Industrial waste, **Borough of East Greenville**, Fourth and Washington Streets, East Greenville, PA 18041.

This application is for renewal of an NPDES permit to discharge treated process wastewater from a water filtration plant in Upper Hanover Township, **Montgomery County**. This is an existing discharge to Perkiomen Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.016 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	20	40	50
Total Aluminum	4.0	8.0	10.0
Total Iron	2.0	4.0	5.0
Total Manganese	1.0	2.0	2.5
Chloroform	monitor/report		
Dichlorobromomethane	monitor/report		
Chlorodibromomethane	monitor/report		
Total Residual Chlorine	0.5		1.2
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

**PA 0055824.** Sewage, **Thomas J. Martin**, 1458 Lonely Cottage, Upper Black Eddy, PA 18972.

This application is for renewal of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant in Bridgeton Township, **Bucks County**. This is an existing discharge to an unnamed tributary to PA Canal.

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

The proposed effluent limits for Outfall 001, based on an average flow of 500 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia (as N) (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	200 colonies/100 ml as a geometric average	
Fecal Coliform	minimum of 3.0 mg/l at all times	
Dissolved Oxygen	within limits of 6.0—9.0 standard units at all times	
pH		

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 0024716.** Sewerage, **Freeland Borough Municipal Authority**, 711 Birkbeck Street, Freeland, PA 18224.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into a wet weather channel leading to Pond Creek in Foster Township, **Luzerne County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the analysis was conducted at the point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 0.750 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>7-Day Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Total Copper	monitor only		
Total Lead	monitor only		
Total Zinc	monitor only		
Total Cadmium	monitor only		
Total Aluminum	monitor only		
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 (Months 1—24)	monitor and report		
(Months 24—60)	1.0		2.0

The EPA waiver is in effect.

**PA 0063851.** Sewerage, **Sweet Valley Mobile Home Village**, R. R. 3, Hunlock Creek, PA 18621.

This proposed action is for issuance of an NPDES permit to discharge treated sewage into an unnamed tributary in Ross Township, **Luzerne County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Authority located on the Susquehanna River.

The proposed effluent limits for Outfall 001, based on a design flow of 0.01 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	20.0	40.0
(11-1 to 4-30)	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N (5-1 to 10-31)	3.5	7.0
(11-1 to 4-30)	10.5	21.0
Dissolved Oxygen	a minimum of 6.0 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	

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine	1.2	2.8
NO <sub>2</sub> + NO <sub>3</sub> as N	10.0	

The EPA waiver is in effect.

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

**PA 0021806, Amendment No. 2.** Sewage, SIC: 4952, **Annville Township**, P. O. Box 320, Annville, PA 17003.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to Quittapahilla Creek, in Annville Township, **Lebanon County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.75 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
NH <sub>3</sub> -N				
(5-1 to 10-31)	9.5	XXX	XXX	19.0
(11-1 to 4-30)	monitor and report	XXX	XXX	monitor and report
Total Phosphorus	2.0	XXX	XXX	4.0
Total Residual Chlorine	0.50	XXX	XXX	1.63
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)		5,800/100 ml as a geometric average		

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

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

**PAS 206101.** Industrial waste, SIC: 3499, **Dynamic Materials Corporation**, R. D. 2, Box 141, Dunbar, PA 15431.

This application is for issuance of an NPDES permit to discharge stormwater from Dynamic Materials Corporation in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Dunbar Creek, classified as a HQ-CWF fishery with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfalls 001, 002 and 003:* new discharge, design flow of n/a mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
BOD <sub>5</sub>					monitor and report
Oil and Grease					monitor and report
Aluminum					monitor and report
Iron					monitor and report
Zinc					monitor and report
NO <sub>2</sub> -NO <sub>3</sub>					monitor and report

The EPA waiver is in effect.

**PAS 206106.** Industrial waste, SIC: 3442, **Overly Manufacturing Company**, 574 West Otterman Street, P. O. Box 70, Greensburg, PA 15601.

This application is for issuance of an NPDES permit to discharge stormwater from Overly Manufacturing Company in Greensburg City, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Zellers Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfall 001*: new discharge, design flow of n/a mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
BOD <sub>5</sub>					monitor and report
Oil and Grease					monitor and report
Zinc					monitor and report
NO <sub>2</sub> -NO <sub>3</sub>					monitor and report

The EPA waiver is in effect.

**PA 0217891.** Industrial waste, SIC: 9611, **Urban Redevelopment Authority of Pittsburgh**, 200 Ross Street, Pittsburgh, PA 15219.

This application is for issuance of an NPDES permit to discharge stormwater from the construction of Summerset at Frick Park Housing Development in Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Nine Mile Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the West View Water Authority, located at West View, 13 miles below the discharge point.

*Outfalls 001—003, 005 and 006*: new discharges.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Total Suspended Solids			30		60
Iron					monitor and report
Aluminum					monitor and report
Oil and Grease		15		30	
TDS					monitor and report
Sulfate					monitor and report
Boron					monitor and report
Beryllium					monitor and report
Cadmium					monitor and report
Chromium					monitor and report
Copper					monitor and report
Lead					monitor and report
Manganese					monitor and report
Nickel					monitor and report
Selenium					monitor and report
Silver					monitor and report
Zinc					monitor and report
Vanadium					monitor and report
Arsenic					monitor and report
Phenol					monitor and report
Acenaphthene					monitor and report
Anthracene					monitor and report
Benzo(a)anthracene					monitor and report
Benzo(a)pyrene					monitor and report
Benzo(b)fluoranthene					monitor and report
Benzo(g,h,l)perylene					monitor and report
Chrysene					monitor and report
Di-N-butyl phthalate					monitor and report
Fluoranthene					monitor and report
Naphthalene					monitor and report
Phenanthrene					monitor and report
Pyrene					monitor and report
Total PCBs					monitor and report
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: new discharge.

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

This outfall shall only contain stormwater.

The EPA waiver is in effect.

**PA 0217611.** Sewage, **City of Pittsburgh**, 301 City-County Building, 414 Grant Street, Pittsburgh, PA 15219.

This application is for issuance of an NPDES permit to discharge combined sewage from combined sewer outfalls in the City of Pittsburgh, **Allegheny County**.

*Outfalls:*

005R001	134A001	007A037	009JA13A	024RA60	048DA27	107GC14
015P001	138K001	007A037	009KA14	024SA17	048FA65	107SC15
016A001	139B001	007A037	011RM19	024SA17A	048FA66	107SC16
016A002	139B002	007A037	011SM19B	024SA17B	048GA25	108HC13A
019M001	139B003	008LA47	012AM14	025AA62	048LA23	119MA33
030N001	139F001	008LA48	012AM14A	025BA19B	048NA63	119MA34
032N001	163G001	008MA49	012AM15	025BA20	048NA64	119RA31
032P001	175L001	008MA50	012BM16	025EA19	048PA21	119RA32
034R001	185H001	008MA51	012BM17	025FA19A	048RA22	120CA36
035A001	001FM01	008MA52	012CM18	025JA18A	057AM37	120DA37
035E001	001LM02	008PA01	012CM20	025JA18B	057KM38	120DA37A
035J001	001MM03	008RA02	012DM21	029FM19A	057KM39	120EA35
036R001	001MM03A	008RA03	012DM22	029KM24	057MM40	121AA38
177K001	001SM04	008RA04	012HM23	029KM26	061DS23	121CA40
039E001	002NM05	008RA04A	015ES35	029PM27	061DS24	121HA41
039J001	003AM06	008RA05	015JS33	029RM29	067FC26A	122EA42
039K001	003BM07	008RA06	015JS34	031DM32	067FC27	129NM47
060A001	003BM08	008SA07	015PS31	031GM34	067KC28	009E001
068H001	003CM10	008SA08	015PS32	031HM33	067KC29	089D001
068H002	003CM11	008SA09	016DS36	031HM35	069EC19	
068P001	003CM11A	008SA10	019MS42	031MM36	071CC11	
088M001	003DM12	009BA59	021AO10	034BS30	071CC12	
088S001	003DM13	009BA59A	021DO30	034GS29	072RC13A	
095E001	005AS41	009CA16	021HO31	034LS28	075A026	
095J001	005FS40	009EA54	021HO32	042DO09	075A026A	
096N001	005LS39	009EA55	021KO11	043PC07	080BA29A	
097L001	006AS46	009EA56	021MO33	043RC03	080BA30	
184E001	006NS42B	009EA58	021MO34	043RC05	080EA29	
121H001	007A037	009FA14A	021RO13	043SC02	080NA28	
128P001	007A037	009FA15	021SO35	043SO08	091AM42	
128R001	007A037	009JA11	021SO36	044BO27	095NS18	
128R002	007A037	009JA12	024LA61	044R029	104HC24	
129B001	007A037	009JA13	024MA18	048DA26	104HC25	

which discharge to the receiving waters known as Saw Mill Run, Little Saw Mill Run, Unnamed Tributary of Saw Mill Run, Becks Run, Unnamed Tributary to Becks Run, Bells Run, Bell Creek, Nine Mile Run, Irwins Run, Weyman Run, Allegheny River, Monongahela River, Ohio River, Streets Run and Unnamed Tributary of Streets Run, serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

*Other Conditions:* The City of Pittsburgh is required to implement the nine minimum technology based controls on a systemwide basis and develop a long-term control plan.

The EPA waiver is not in effect.

### **Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewaters into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate

and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Any major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed

permit actions under the waiver provision 40 CFR 123.6E.

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0070092	John M. Yetter and Van Daniel Yetter R. D. 5, Box 5308 East Stroudsburg, PA 18301	Northampton Upper Mt. Bethel Twp.	Tributary of Allegheny Creek	TRC

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

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (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 name, address and telephone number of the protester, identification of the plan or application to which the protest is addressed and a concise statement or protest 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 protester will be notified in writing of the time and place of any scheduled hearing or conference concerning the plan, action or application to which the protest relates. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and addition 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.

**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. 4598410.** Sewerage. **Penn Estates Utilities**, 503 Hallet Road, East Stroudsburg, PA 18301. Permit to construct a sewage lift station to serve Deborah Drive,

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit action. 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 permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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located in Stroud Township, **Monroe County**. Application received in the Regional Office—December 8, 1998.

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

**A. 6795404, Amendment 98-1.** Sewage, submitted by **James Dorwart Apartments**, 1375 Old Quaker Road, Eppers, PA 17319 in Fairview Township, **York County** to upgrade their existing wastewater treatment plant was received in the Southcentral Region on November 20, 1998.

**A. 0598406.** Sewage, submitted by **William C. and Althea Dietzel**, 2914 Hamilton Avenue, Baltimore, MD 21214 in East Providence Township, **Bedford County** to construct a small flow treatment system to serve their single family residence was received in the Southcentral Region on December 9, 1998.

**A. 3698412.** Sewage, submitted by **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603-4087 in West Hempfield Township, **Lancaster County** to construct a pump station upgrade and expansion to the Locust Grove Pump Station was received in the Southcentral Region on December 9, 1998.

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

**WQM Permit No. 1098412.** Sewage. **Fairwinds Manor Inc.**, 126 Iron Bridge Road, Sarver, PA 16055. This project is for the proposed renovation of an existing treatment facility to include the installation of a hydroaerobics extended aeration sewage treatment facility in Winfield Township, **Butler County**.

**WQM Permit No. 6298414.** Sewage. **North Warren Municipal Authority**, 4 Hospital Drive, North Warren, PA 16365. This project is for the addition of 15,000 square feet of reed sludge drying beds and covering of one-half of the existing sludge beds, the existing flow dampening tank is to be aerated and improvements to the existing

pump station on the Warren State Hospital grounds will be made in Conewango Township, **Warren County**.

**WQM Permit No. 6298415.** Sewage, **Nicholas M. and Mary G. Mangus, SRSTP**, 3778 Willowcrest Blvd., Mulberry, FL 33860. This project is for the construction of a single residence sewage treatment plant in Glade Township, **Warren County**.

**INDIVIDUAL PERMITS  
(PAS)**

**NPDES Individual**

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

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

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

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

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

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

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

**NPDES Permit PAS10S012-R.** Stormwater. **Northridge at Camelback, Camelback Ski Corp.**, P. O. Box 168, Tannersville, PA 18371, has applied to discharge stormwater from a construction activity located in Pocono and Jackson Townships, **Monroe County**, to Pocono Creek.

**NPDES Permit PAS10S015-R.** Stormwater. **Camelback Ski Area, Camelback Ski Corp.**, P. O. Box 168, Tannersville, PA 18372, has applied to discharge

stormwater from a construction activity located in Pocono and Jackson Townships, **Monroe County**, to Pocono Creek.

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

**NPDES Permit PAS10B010.** Stormwater. **DEP, Bureau of Abandoned Mines**, P. O. Box 149, Ebensburg, PA 15931 has applied to discharge from a construction activity located in Valley and Boggs Townships, **Armstrong County** to Pine Creek to Allegheny River.

**SAFE DRINKING WATER**

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

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

**A. 0598504.** Public water supply. **Bedford Township Municipal Authority**, Bedford Township, **Bedford County**. *Responsible Official:* Richard E. Bugle, Chairperson, Bedford Township Municipal Authority, P. O. Box 371, Bedford, PA 15522-0371. *Type of Facility:* Construction of two wells, control building, a 238,000 gallon tank, 510 lf of 18-inch main, approximately 8,375 lf of 12" main and related appurtenances. *Consulting Engineer:* David Hegemann, Ph.D. P. E., Hedgemann and Wray Consulting Engineers, 429 Park Avenue, Cresson, PA 16630.

**A. 3698506.** Public water supply. **Columbia Water Company**, Borough of Columbia, **Lancaster County**. *Responsible Official:* Charles E. Gohn, General Manager, Columbia Water Company, 220 Locust Street, Columbia, PA 17512. *Type of Facility:* Modifications to the Sixth Street and Spruce Street pump stations. Installation of 16-inch DIP water main, PRV stations and related appurtenances. *Consulting Engineer:* David T. Lewis, P. E., ACER Engineers and Consultants, Inc., 270 Granite Run Drive, Lancaster, PA 17601.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 1**

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

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

tion of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

**909 Partners Site**, Susquehanna Township, **Dauphin County**. 909 Partners, L.P., 3701 Perkiomen Avenue, Reading, PA 19606, has submitted a Notice of Intent to Remediate site groundwater contaminated with heavy metals and solvents. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on October 31, 1998.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### Under Act 2, 1995

#### Preamble 2

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific

cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, a municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact Steve Curcio at (814) 332-6816. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**New Castle Area Transit Authority/former Affiliated Metals & Minerals and Johnson Bronze II Plant**, 301 Mahoning Ave., New Castle, PA **Lawrence County**. City of New Castle has submitted a Notice of Intent to Remediate groundwater and soil contaminated with lead, heavy metals and solvents. The site is located in a Special Industrial Area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in the *New Castle News* on November 4, 1998.

**Meadville Rite Aid**, 975 Market Street, Meadville, PA 16335, **Crawford County**. City of Meadville, has submitted a Notice of Intent to Remediate groundwater contaminated with heavy metals, BTEX and PHCs. The site is located in a Special Industrial Area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in the *Meadville Tribune* on August 6, 1998.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**A. 100594. Chambers Development Co., Inc.**, 2000 Cliff Mine Road, Suite 420, Pittsburgh, PA 15275. Monroeville Landfill, 600 Thomas Street Ext., Monroeville, PA 15146. Application for a major permit modification, request for equivalency review—alternative

daily cover material, in the Municipality of Monroeville, **Allegheny County**, was received in the Regional Office on December 7, 1998.

## AIR QUALITY

### Plan Approval and Operating Permit Applications Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application and at 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's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

### OPERATING PERMITS

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

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

**06-3005A: Morton International, Inc.** (P. O. Box 15209, Reading, PA 19612) for a plastics manufacturing facility controlled by eight fabric collectors in Reading, **Berks County**.

**06-302-050A: Bally Ribbon Mills** (23 North 7th Street, Bally, PA 19503) two boilers, one of which is controlled by a low NOx burner in Bally Borough, **Berks County**. The new boiler is subject to 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

**21-302-113: Lear Operations Corp.** (50 Spring Road, Carlisle, PA 17013) for operation of two boilers, the no. 5 boiler controlled by low NOx burner, natural gas or no. 2 oil fired, and existing no. 4 boiler modified to burn natural gas or no. 2 oil in Carlisle Borough, **Cumberland County**.

**67-304-027A: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, P. O. Box 877, Hanover, PA 17331) for operation of the foundry sand handling system no. 2 in Hanover Borough, **York County**.

**67-304-034B: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, P. O. Box 877, Hanover, PA 17331) for operation of a ductile iron operations in Hanover Borough, **York County**.

**67-310-009B: Milestone Materials, Inc.** (P. O. Box 231, Easton, PA 18040) for operation of a modified stone crushing and screening operation in Manchester Township, **York County**.

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

**PA-25-069B: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) for operation of a nickel plant fluid bed reactor in Erie, **Erie County**.

**PA-25-070A: EMI Corp.** (603 West 12th Street, Erie, PA 16501) for operation of a coreless melting furnace in Erie, **Erie County**.

**PA-33-159A: Brookville Mining Equipment** (P. O. Box 130, Brookville, PA 15825) for operation of a surface coating operation in Pinecreek Township, **Jefferson County**.

**PA-37-296A: Select Industries, Inc.** (420 Cascade Street, New Castle, PA 16107) for operation of a coating line in New Castle, **Lawrence County**.

**PA-37-299A: IMS Steel Services, Inc.** (P. O. Box 2372, New Castle, PA 16102) for operation of a steel slag and scrap processing plant in Taylor Township, **Lawrence County**.

**PA-43-170B: Werner Co.** (93 Werner Road, Greenville, PA 16125) for operation of a pultrusion process in Sugar Grove Township, **Mercer County**.

**43-399-014: Werner Co.** (93 Werner Road, Greenville, PA 16125) for operation of a fiberglass pultrusion operation in Sugar Grove Township, **Mercer County**.

**PA-61-012A: OMG Americas** (P. O. Box 111, Franklin, PA 16323) for operation of batch chemical reactors in Sugarcreek Borough, **Venango County**.

**PA-62-017A: United Refining Co.** (P. O. Box 780, Warren, PA 16365) for operation of a combo catch in Warren, **Warren County**.

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

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

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the

regional office telephone number noted. For additional information, contact the regional office noted.

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

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

**TVOP #14-00004: Con Lime, Inc.** (P. O. Box 118, Bellefonte, PA 16823) for their Bellefonte Plant located in Benner Township, **Centre County**. In accordance with 25 Pa. Code § 127.541, this Title V Operating permit revision is to incorporate conditions from Plan Approval #OP-14-0001A for the operation of a DCL SEV24-10 lime kiln fabric collector dust silo bulk tank truck loadout spout. The particulate matter emissions from the source shall be controlled by a Fuller/Amerex RP-8-42, D6 fabric collector and shall not exceed 0.02 grains per dry standard cubic foot.

**TVOP #59-00001: Westfield Tanning Co.** (360 Church Street, Westfield, PA 16950) for their tannery located in Westfield Borough, **Tioga County**. The facility's major sources include leather tanning and water-proofing operations, harness and sole leather dyeing and treating operation, and natural gas and oil fired boilers which emit major quantities of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs). The sources also emit CO, NOx, particulate matter and SOx. This facility is also subject to all applicable requirements of Maximum Available Control Technology (MACT) and Standards of Performance for New Stationary Sources (NSPS).

#### 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.*

**ER-06-5035: The Glidden Co.** (P. O. Box 301, Bern Street, Reading, PA 19601) for 35 tons of Volatile Organic Compounds ERCs from the shutdown of sources in Reading, **Berks County**.

**21-05039: Land O'Lakes, Inc.** (405 Park Drive, Carlisle, PA 17013) for installation of two natural gas/no. 2 fuel oil boilers and two milk drying systems controlled by cyclones and fabric filters in South Middleton Township, **Cumberland County**. The boilers are subject to 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam generating units.

**36-05092: Greiner Industries, Inc.** (1650 Steel Way, Mt. Joy, PA 17552) for construction of painting operation in Mt. Joy Township, **Lancaster County**.

**36-310-027F: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) to install a larger capacity baghouse to control emissions from an existing rock crushing, conveying and screening operation in East Cocalico Township, **Lancaster County**.

**67-5003A: Mastercraft Specialties Inc.** (800 Maple Street, Red Lion, PA 17356) for the installation of a flat product line surface coater in Red Lion Borough, **York County**.

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

**OP-41-0007B: Coastal Aluminum Rolling Mills, Inc.** (2475 Trenton Avenue, Williamsport, PA 17701) for construction of an additional coil coating station and associated curing oven and air cleaning device (a catalytic oxidizer) on Line No. 4 in the City of Williamsport, **Lycoming County**.

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

**PA-25-316B: Ethan Allen, Inc.** (77 South Main Street, Union City, PA 16438) for construction of a wood furniture robotic spray painting operation (4,800 wood units per year), in Union City, **Erie County**. This source is subject to the Federal NESHAP standard, 40 CFR Part 63, Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations.

**PA 42-009A: Pittsburgh Corning Corp.** (723 North Main Street, P. O. Box 39, Port Allegany, PA 16743) for installation of a wet collector (2,800 acfm), on an existing mold release spray process in Port Allegany, **McKean County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

#### Proposed Revision to the State Implementation Plan for Volatile Organic Compounds (VOC); Approval of a Reasonably Available Control Technology Plan and Operating Permit; Public Hearing

#### Franklin 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 surface coating operations at the Grove U.S.L.L.C. production facility located in Antrim Township, Franklin County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 28-2004 for the existing facility to comply with current regulations. Upon final approval, the operating permit will include restrictions on surface coating activities along with appropriate recordkeeping and reporting requirements.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed operating permit and SIP revisions. The hearing will be held on February 17, 1999, at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 from 1 p.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Gary Lenz, Air Pollution Control Engineer, DEP, 909 Elmerton Avenue, Harrisburg, PA 17110 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for February 17, 1999, at the Southcentral Regional Office and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 705-4931 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**Proposed Revision to the State Implementation Plan for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NO<sub>x</sub>); Approval of a Reasonably Available Control Technology Plan and Operating Permit; Public Hearing**

**Lebanon 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 the Aluminum Company of America's secondary aluminum production facility located in South Lebanon Township, Lebanon County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 38-02002 for the existing facility to comply with current regulations. Upon final approval, the operating permit will include restrictions on rolling lubricants composition, operating requirements for the existing sources and control equipment, and appropriate recordkeeping and maintenance requirements.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed operating permit and

SIP revisions. The hearing will be held on February 9, 1999, at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 from 1 p.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Gary Lenz, Air Pollution Control Engineer, DEP, 909 Elmerton Avenue, Harrisburg, PA 17110 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for February 9, 1999, at the Southcentral Regional Office and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 705-4931 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**Pennsylvania Electric Company (Penelec)  
Public Hearing**

The Department of Environmental Protection (Department) will conduct a public hearing on January 20, 1999, beginning at 1 p.m. in the Air Quality Conference Room of the DEP Regional Office Building located at 230 Chestnut Street, Meadville, PA 16335-3407.

The hearing is for the Department to accept testimony concerning its decision to approve, with conditions, Reasonably Available Control Technology (RACT) plan by Pennsylvania Electric Company (Penelec), Front Street Station, Erie, PA to meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOC) from various air contamination sources. The final RACT proposal will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan (SIP). This facility is located in Erie County.

The proposed SIP revisions do not adopt new regulations. They incorporate 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 Plan Approvals and/or Operating Permits for the facility and will be submitted to the EPA as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary NO<sub>x</sub> RACT determination for the previously listed facility (major sources only):

Penelec, Front Street Station, Erie

Source

Boiler 7 and Boiler 8

*NO<sub>x</sub> RACT*

—NO<sub>x</sub> emissions shall not exceed 21 lb/ton of coal, as fired and 0.145 lbs/MMBtu of Oil #2, as fired.

—The sources shall be operated and maintained in accordance with the manufacturer's specifications. The sources shall also be operated and maintained in accordance with good air pollution control practices.

*Source*

Boiler 9 and Boiler 10

Emergency Diesel and Fire Pump Diesel

*NOx RACT*

—NOx emissions shall not exceed 14.4 lb/ton of coal, as fired and 0.145 lbs/MMBtu of Oil #2, as fired.

—The sources shall be operated and maintained in accordance with the manufacturer's specifications. The sources shall also be operated and maintained in accordance with good air pollution control practices.

—These sources shall be in compliance with the requirements of 25 Pa. Code § 129.93(c)(5).

For the listed facility, a public hearing will be held for the purpose of receiving comments on the above proposed Plan Approvals and/or Operating Permits and the proposed SIP revisions. The public hearing is scheduled on Wednesday, January 20, 1999, 1 p.m.—3 p.m. at the Air Quality Conference Room, DEP Regional Conference Room, 230 Chestnut Street, Meadville, PA 16335-3407.

Persons wishing to present testimony at the hearing should contact Lori McNabb, Air Pollution Control Engineer, DEP, 270 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 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 and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lori McNabb at (814) 332-6940, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing but wish to comment should provide written comments to the previously noted contact person. Comments should be submitted within 30 days of the date of this publication notice.

All the pertinent documents (applications, review memos and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional office (Air Quality). Appointments for scheduling a review must be made by calling the contact person noted previously.

**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 below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. 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*

**11900201.** Permit Renewal, **Maple Coal Company** (2591 Wexford-Bayne Road, Suite 204, Sewickley, PA 15143-8610) commencement, operation and restoration of

a coal refuse reprocessing mine in Barr and Blacklick Townships, **Cambria County**, affecting 134.2 acres, receiving stream Elk Creek. Application received December 4, 1998.

**32880107.** Permit Renewal, **Urey Coal Company** (222 Forest Ridge Road, Indiana, PA 15701), commencement, operation and restoration of bituminous strip mine in Banks Township, **Indiana County**, affecting 133.3 acres, receiving stream unnamed tributary to Cush Creek; unnamed tributary to South Branch Bear Run. Application received December 4, 1998.

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

**03980109.** **Seven Sisters Mining Co., Inc.** (P. O. Box 300, 200 US Route 22, Delmont, PA 15626). Application received for commencement, operation and reclamation of a bituminous and industrial mineral (sandstone, shale and clay) surface auger mine located in South Bend Township, **Armstrong County**, proposed to affect 67.1 acres. Receiving streams: unnamed tributary to Crooked Creek, Crooked Creek to the Allegheny River. Application received: December 3, 1998.

**03980108.** **Stitt Coal Company, Inc.** (R. R. 1, Box 197A, Ford City, PA 16226). Application received for commencement, operation and reclamation of a bituminous and industrial mineral (sandstone, shale, limestone and underclay) surface auger mine located in Kittanning Township, **Armstrong County**, proposed to affect 189.8 acres. Receiving streams: unnamed tributaries to Garrets Run and Garrets Run to the Allegheny River. Application received: December 3, 1998.

**03910101.** **Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelcta, PA 15774). Revision received to mine within the 100 foot road barrier of State Route 1029 and to conduct mining activities within the 100 foot barrier of and to remove a portion of an unnamed tributary to the North Fork of Pine Creek on an existing bituminous surface auger mine with a coal preparation plant/processing facility located in Boggs Township, **Armstrong County**. Receiving streams: unnamed tributaries to North Fork Pine Creek to the Allegheny River. Revision application received: December 10, 1998.

**26783002R.** **T. L. Hill Coal Company** (R. R. 3, Box 690A, Uniontown, PA 15401). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Georges Township, **Fayette County**. Receiving streams: York Run. Renewal application received: December 10, 1998.

**26950201R.** **Mon River Energy Corp.** (P. O. Box 466, Brier Hill, PA 15415). Renewal application received for commencement, operation and reclamation of a coal refuse reprocessing site located in Redstone Township, **Fayette County**. Receiving streams: Fourmile Run. Renewal application received: December 14, 1998.

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

**13980201.** **Rossi Excavating Company** (9 West 15th Street, Hazleton, PA 18201), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Banks Township, **Carbon County** affecting 18.0 acres, receiving stream—none. Application received December 2, 1998.

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

*Small Industrial Minerals Applications Received*

**11980801.** **Kevin E. Hite** (516 Eckenrode Mill Road, Patton, PA 16668), commencement, operation and restoration of a slate pit in East Carroll Township, **Cambria County**, affecting 5.0 acres, receiving stream Laurel Lick Run to Chest Creek. Application received December 3, 1998.

### **Bureau of Deep Mine Safety**

#### **Request for Variance**

#### **K. B. Coal, Inc.**

The Bureau of Deep Mine Safety has received a request for variance from K. B. Coal, Inc. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (724) 439-7469.

The Department of Environmental Protection (Department) is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Sections 701 and 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701 and 702) (act) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

*Summary of the request:* K. B. Coal, Inc. requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Miller Mine.

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

### **ENCROACHMENTS**

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

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

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

**E15-599.** Encroachment. **Schuylkill Township**, 101 Valley Park Rd., Phoenixville, PA 19460. To restore and realign approximately 150 linear feet of an eroded stream channel of an unnamed tributary to the Schuylkill River (WWF). The proposed project is located approximately 1,200 feet south from the intersection of Jug Hollow Road and Valley Park Road (Valley Forge, PA Quadrangle N: 18.0 inches; W: 14.8 inches) in Schuylkill Township, **Chester County**.

**E23-375.** Encroachment. **Swarthmore Borough**, 121 Park Avenue, Swarthmore, PA 19081-1536. To replace an existing dilapidated 10-inch sanitary sewer line crossing which bisects the waterway opening of an existing 48-inch culvert pipe which conveys an unnamed tributary of Little Crum Creek (WWF) under Oberline Avenue, and to construct and maintain a 10-inch sanitary sewer line at a lower elevation at the same location across an unnamed tributary to Little Crum Creek (WWF). The site is located on Oberline Avenue between Lafayette Avenue and Dartmouth Avenue (Lansdowne, PA Quadrangle N: 4.75 inches; W: 13.2 inches) in Swarthmore Borough, **Delaware County**.

**E46-826.** Encroachment. **Montgomery Township Municipal Authority**, 1001 Stump Road, Montgomeryville, PA 18936. To restore 180 linear feet of stream banks in and along an unnamed tributary to Neshaminy Creek (WWF, MF) to protect an existing sewer line associated with the Ville-Glen sanitary interceptor line. This site is located approximately 2,400 feet northeast of the intersection of Route 309 and Richardson Road (Doylestown, PA Quadrangle N: 2.5 inches; W: 16.0 inches) in Montgomery Township, **Montgomery County**.

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

**E13-116.** Encroachment. **PA Department of Transportation**, District 5-0, 1713 Lehigh Street, Allentown, PA 18103-4724. To maintain the existing 5-foot diameter C.M.P. culvert within a 50-foot long section of 6-foot by 5-foot concrete walled channel in a tributary to the Lehigh River (HQ-CWF). The culvert was constructed under authorization of Emergency Permit No. EP1394401. The project is located along the northeastern side of S. R. 2015 immediately east of the intersection of S. R. 2015 and Second Street (Lehigh, PA Quadrangle N: 15.5 inches; W: 10.4 inches), Franklin Township, **Carbon County** (Philadelphia District, U. S. Army Corps of Engineers).

**E40-511.** Encroachment. **City of Wilkes-Barre**, 40 East Market Street, Wilkes-Barre, PA 18711. To remove the existing structure and to construct and maintain a single-span prestressed concrete bridge across Laurel Run (CWF). The proposed bridge has a clear span of 38.0 feet and an underclearance of 7.3 feet. The project includes gravel bar removal, extending from the Govier Street Bridge (approximately 360 feet upstream of Mill Street) downstream for a distance of 500 feet, which is proposed

to be accomplished utilizing the Department's General Permit BDWW-GP-3. The project is located on Mill Street (Pittston, PA Quadrangle N: 1.2 inches; W: 13.3 inches), City of Wilkes-Barre, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E40-512.** Encroachment. **City of Wilkes-Barre**, 40 East Market Street, Wilkes-Barre, PA 18711. To repair and maintain an existing retaining wall along the left bank of Solomon Creek (CWF), with work consisting of the removal and replacement of a 105-linear foot section of wall. The replaced section will have a reinforced concrete cantilevered wall with concrete-formed simulated stone facing. The project is located immediately upstream of the intersection of South Franklin Street and Brook Street (Wilkes-Barre, PA West Quadrangle N: 19.6 inches; W: 4.5 inches), City of Wilkes-Barre, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E40-513.** Encroachment. **Howard L. and Dolores J. Piatt**, R. R. 1, Box 264, Hunlock Creek, PA 18621. To maintain an existing single-span bridge across Pikes Creek (CWF) and to excavate within the floodway and remove a stone wall along the left bank to provide additional overbank flow area. The bridge has a span of approximately 34 feet and an underclearance of approximately 5 feet, and is located on the east side of S. R. 0029, approximately 0.5 mile north of the intersection of S. R. 0029 and S. R. 0118 (Harveys Lake, PA Quadrangle N: 11.5 inches; W: 13.3 inches), Lake Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers). This permit is for an after-the-fact authorization.

**E45-364.** Encroachment. **Robert and Anja Smith**, P. O. Box 270, Spring House, PA 19477. To place fill in 0.10 acre of PFO wetlands adjacent to Lake Naomi for the purpose of constructing a home located at Lot 25, Unit 5, Section 4 on the north side of Lakeview Drive approximately 250 feet northwest of the intersection of Lakeview Drive and Hemlock Circle (Pocono Pines, PA Quadrangle N: 21.5 inches; W: 10.4 inches), Tobyhanna Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E01-203.** Encroachment. **Latimore Township**, Dave Myers, P. O. Box 218, York Springs, PA 17372. To remove an existing structure and to construct and maintain a concrete box culvert having a clear span of 22 feet and a minimum underclearance of 3.25 feet over Latimore Creek (CWF) on T-639, Bushy School Road (Dillsburg, PA Quadrangle N: 9.0 inches; W: 3.5 inches) in Latimore Township, **Adams County**.

**E22-395.** Encroachment. **Gary Houck**, 7464 Linglestown Rd., Harrisburg, PA 17112. To construct and maintain a 16.67 foot × 7.5 foot aluminum box culvert and a 12.08 foot × 6.58 foot aluminum box culvert and to impact 0.39 acre of wetlands in and along a tributary to Beaver Creek at points along Clover Lane (Hershey, PA Quadrangle N: 13.9 inches; W: 13.95 inches) in West Hanover Township, **Dauphin County**.

**E28-264.** Encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105. To remove the existing structure and to construct and maintain a 14-foot by 5-foot concrete box culvert in the channel of Furnace Run on Linsay Lot Road located immediately downstream of Shippensburg

reservoir (Scotland, PA Quadrangle N: 20.8 inches; W: 0.25 inch) in Southampton Township, **Franklin County**.

**E31-147.** Encroachment. **Charles V. Fedena**, P. O. Box 38, R. R. 641, Neelyton, PA 17239. To construct and maintain a single span bridge having a clear span of 22.0 feet and an underclearance of about 6.3 feet over Shade Creek (TSF) and to construct and maintain five 12-inch diameter culverts in an unnamed tributary to Shade Creek (TSF) to provide access to an existing residential property located on the north side of SR 0641 about 2 miles south of Shade Gap (Shade Gap, PA Quadrangle N: 7.2 inches; W: 12.9 inches) in Dublin Township, **Huntingdon County**.

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

**E19-186.** Encroachment. **Columbia County Commissioners**, Columbia County Courthouse, Box 380, Bloomsburg, PA 17815. To rehabilitate and maintain an existing single span wooden covered bridge by constructing a steel beam deck and two piers with a total span of 164 feet and underclearance of 24 feet across Fishing Creek located on Reading Street approximately 0.4 mile upstream of the mouth of Fishing Creek (Catawissa, PA Quadrangle N: 19.3 inches; W: 13.6 inches) in the Town of Bloomsburg and Montour Township, **Columbia County**. Estimated stream disturbance is 100 feet with no wetland impacts; stream classification is warm water fishery.

**E55-156.** Encroachment. **Tross Realty**, R. R. 3, Box 511, Sunbury, PA 17801. The applicant is seeking authorization to place and maintain fill in 0.11 acre of wetlands to develop a commercial office building site adjacent to US Route 15 North. The proposed project site is located along the east side of US Route 15, 1.38 miles north of the intersection of US Routes 15 and 11 in Shamokin Dam. The site is in Monroe Township, **Snyder County** (Sunbury, PA Quadrangle N: 22.3 inches and W: 10.0 inches). The area to be developed is 1.6 acres and the affected wetland is a 0.25 acre isolated palustrine emergent system. Payment to the Pennsylvania Wetland Replacement Project is proposed as mitigation because onsite replacement areas are unsuitable.

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

**E02-1255.** Encroachment. **Nancy Ann Kolosvary**, 195 Guffey Road, Elizabeth, PA 15037. To place and maintain fill in a de minimis area of wetlands (PEM), for the purpose of constructing a 91 acre lot single family residential development known as Golden Age Estates. The project is located along the north side of Torrence and Guffey Road approximately 0.1 mile west of their intersection with S. R. 0051 (Donora, PA Quadrangle N: 19.0 inches; W: 15.0 inches) in Forward Township, **Allegheny County**.

**E02-1257.** Encroachment. **Frey/Schweiger Partnership**, 4399 Gibsonia Road, Gibsonia, PA 15044. To construct and maintain a sanitary sewer line crossing across the channel of an unnamed tributary to Little Deer Creek (CWF) for the purpose of serving the Stone Crest Plan of Lots. The project is located just west of Saxonburg Boulevard (S. R. 1013), and McKrell Road (Curtisville, PA Quadrangle N: 0.9 inch; W: 15.0 inches) in West Deer Township, **Allegheny County**.

**E65-716.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To operate and maintain a bridge having a normal clear span of 88.5 feet and an

underclearance of 11.59 feet across Jacobs Creek (WWF), located on SR 1041, Section C10, Station 36 + 64 (Dawson, PA Quadrangle N: 17.7 inches; W: 4.94 inches) in East Huntingdon and Lower Tyrone Townships, **Westmoreland and Fayette Counties**. The removal of the existing collapsed bridge was removed under Emergency Permit No. EP6598204. The construction and maintenance of the bridge was authorized under Emergency Permit No. EP6598207.

## WATER QUALITY CERTIFICATION

### Requests for Certification under Section 401 of the Federal Water Pollution Control Act

The following requests have been made to the Department of Environmental Protection (Department) for certification under section 401(a) of the 1972 amendments to the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), that there is reasonable assurance that the construction described will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to comments, suggestions or objections which are submitted in writing 30 days from the date of this notice. Comments should be submitted to the Department at the address indicated above each of the following requests for certification. All comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions in sufficient detail to inform the Department of the exact basis of the proposal and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m. on each working day.

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

*Certification Request Initiated By: Roy F. Weston, Inc., 101 Fieldcrest Avenue, Raritan Plaza III, Suite 2B, Edison, NJ 08837-3622.*

*Project Description/Location:* This activity involves the discharge of supernatant from the United States Army Corps of Engineers (USACE) Fort Mifflin dredge disposal basin into the Delaware Estuary-Zone 4. The supernatant will be generated through the disposal of approximately 215,000 cubic yards of sediment by hydraulic suction dredge and pipeline directly into the basin. This request was submitted on behalf of Metro Machine Corporation which operates an existing dry dock facility adjacent to Pier 5, in the former Philadelphia Naval Yard, where the dredging is proposed. Application has also been made to the USACE for approval of this activity under Section 10 of the River and Harbors Act and Section 404 of the Clean Water Act.

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**ACTIONS**


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**FINAL ACTIONS TAKEN UNDER THE  
PENNSYLVANIA CLEAN STREAMS LAW AND THE  
FEDERAL CLEAN WATER ACT**
**[National Pollution Discharge Elimination System  
Program (NPDES)]**
**DISCHARGE OF CONTROLLED INDUSTRIAL  
WASTE AND SEWERAGE WASTEWATER**
**(Part I Permits)**

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

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

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

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

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

**NPDES Permit No. PA0026603.** Sewage. **Borough of Ambler**, 122 East Butler Avenue, Ambler, PA 19002 is authorized to discharge from a facility located at Ambler Borough STP located Upper Dublin Township, **Montgomery County** into Wissahickon Creek.

**NPDES Permit No. PA0054992.** Sewage. **Michael Bird**, 2835 Mill Road, Doylestown, PA 18901 is authorized to discharge from a facility located in Buckingham Township, **Bucks County** to an unnamed tributary to Watson Creek.

**NPDES Permit No. PA0053384, Amendment No. 1.** Sewage. **Assembly Hall of Jehovah's Witnesses**, 4414 New Hope Road, P. O. Box 338, Buckingham, PA 18912 is authorized to discharge from a facility located in Buckingham Township, **Bucks County** into an unnamed tributary to Mill Creek.

**NPDES Permit No. PA0051519.** Industrial waste. **Perkasie Industries Corporation**, 50 East Spruce Street and Constitution Avenue, P. O. Box 179, Perkasie, PA 18933 is authorized to discharge from a facility at

**Perkasie Industries Corporation NCCW and SWRO** located in Perkasie Borough, **Bucks County** into Elk Branch of Perkiomen Creek.

**NPDES Permit No. PA0040321.** Industrial waste. **Thomas and Betts Corporation**, 8155 T and B Boulevard, Memphis, TN 38125 is authorized to discharge from a facility located at Thomas and Betts Corporation Groundwater Remediation System, Park Avenue and Ridge Road located in East Rockhill Township, **Bucks County** into an unnamed tributary to East Branch of Perkiomen Creek.

**WQM Permit No. 1598405.** Sewerage. **West Goshen Sewer Authority**, 520 Veronica Road, West Chester, PA 19380. Construction and operation for the expansion of the West Goshen STP located in West Goshen Township, **Chester County**.

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

**NPDES Permit No. PA-0061484.** Sewerage. **Northrop Grumman Corporation**, P. O. Box 188, Fleetville, PA 18420 is authorized to discharge from a facility located in Benton Township, **Lackawanna County**, to an unnamed tributary to South Branch Tunkhannock Creek.

**NPDES Permit No. PA-0026042-A2.** Sewerage. **Wendell S. Sherman**, Director of Public Works, City of Bethlehem, 10 East Church Street, Bethlehem, PA 18018 is authorized to discharge from a facility located in the City of Bethlehem, **Northampton County**, to the Lehigh River.

**NPDES Permit No. PA-0031127.** Sewerage. **Borough of Northampton**, 1516 Main Street, Northampton, PA 18067 is authorized to discharge from a facility located in Northampton Borough, **Northampton County**, to Hokendaqua Creek.

**NPDES Permit No. PA-0063240.** Sewerage. **Neil Minnich**, Lehigh Township Municipal Authority, 1069 Municipal Road, Walnutport, PA 18088 is authorized to discharge from a facility located in Lehigh Township, **Northampton County**, to Bertsch Creek.

*Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.*

**NPDES Permit No. PA0209724.** Sewerage. **H. H. Knoebel Sons Inc.**, Lake Glory Campground, R. R. 1 Box 317, Elysburg, PA 17824-0317. Applicant has been granted permission to construct a treatment facility to discharge from Lake Glory Campground located at Cleveland Township, **Columbia County**.

**NPDES Permit No. PA0020672.** Sewerage. **Randy Gresh**, Washingtonville Municipal Authority, P. O. Box 147, Washingtonville, PA 17884. Renewal granted to facility located at Derry Township, **Montour County**.

**NPDES Permit No. PA0208728.** Sewerage. **Mountaintop Area Municipal Authority**, P. O. Box 275, Snow Shoe, PA 16874. Renewal granted to facility located at Snow Shoe Township, **Centre County**.

**WQM Permit No. 1798408.** Sewerage. **Curwensville Municipal Authority**, 900 Susquehanna Avenue, Curwensville, PA 16833. Permission granted to select a mechanical sludge dewatering equipment to operate either a belt press or a centrifuge depending on cost. Facility located at Curwensville Borough, **Clearfield County**.

**WQM Permit No. 1795408-A35.** Sewerage. **Bradford Township/Walker**, P. O. Box 79, Woodland, PA 16881.

Design was previously approved on October 19, 1995, as a pilot program for facility located at Bradford Township, **Clearfield County**.

**WQM Permit No. 4998406.** Sewerage. **William F. Miller**, P. O. Box 143, Muncy, PA 17756-0143. Construction approved for single residence sewer treatment facility located at Lewis Township, **Northumberland County**.

**WQM Permit No. 0871401-A1, Amendment.** Sewerage. **Wyalusing Borough**, P. O. Box 61, Wyalusing, PA 18853. Amendment allowed for replacing the malfunctioning flow meter with a new weir flow meter on the chlorine contact tank effluent. Location of facility is Wyalusing Borough, **Bradford County**.

**Permit No. WQM 1498409-T1.** Sewerage Transfer. **John Sr., and Gail E. Teti**, 1203 Steele Hollow Road, Julian, PA 16844. Transfer of water quality permit granted to single residence system located at Huston Township, **Centre County**.

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

**NPDES Permit No. PA0005053, Amendment No. 2.** Industrial waste. **GPU Generation, Inc., Warren Generating Station**, 2325 Pennsylvania Avenue, West Extension, Warren, PA 16365 is authorized to discharge

from a facility located in Conewango Township, **Warren County** to the Allegheny River.

**NPDES Permit No. PA0000078.** Industrial waste. **Welch Foods, Inc.**, South Lake Street, North East, PA 16428 is authorized to discharge from a facility located in North East Township, **Erie County** to Sixteen Mile Creek.

**NPDES Permit No. PA0032638.** Sewerage. **Pleasant Valley Park**, P. O. Box 747, 2727 Pennsylvania Avenue, Warren, PA 16365 is authorized to discharge from a facility located in Brokenstraw Township, **Warren County** to an unnamed tributary to Brokenstraw Creek.

**WQM Permit No. 2098414.** Sewerage. **Faith Independent Baptist Church**, P. O. Box 863, Meadville, PA 16335. This project is for the construction and operation of a small flow treatment facility in Hayfield Township, **Crawford County**.

**WQM Permit No. 1098409.** Sewerage, **Ronald W. Drent, SRSTP**, 974 Red Clover Dr., Aurora, IL 60504. Construction of Ronald W. Drent SRSTP located in Adams Township, **Butler County**.

**WQM Permit No. 4398417.** Sewerage, **Paul Lokovich, SRSTP**, 76 N. Summit Rd., Greenville, PA 16125. Construction of Paul Lokovich SRSTP located in West Salem Township, **Mercer County**.

#### INDIVIDUAL PERMITS

##### (PAS)

The following approvals for coverage under NPDES Individual Permit for discharge of stormwater from construction activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10F071	Sue Tressler Airport Park Comm. Sub. 2160 Fox Hill Rd. State College, PA 16801	Centre County Benner Township	Buffalo Run

#### INDIVIDUAL PERMITS

##### (PAR)

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

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

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

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

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant

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

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

*General Permit 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>
Lehigh County Weisenberg Township	PAR10Q103	Arcadia Development Corp. Richard E. Thulin 54 S. Commerce Way Suite 175 Bethlehem, PA 18017	Maiden Creek	Lehigh CD (610) 391-9583
Lehigh County N. Whitehall Township	PAR10Q114	Jaindl Lane Co. David Jaindl 3150 Coffeetown Road Orefield, PA 18069	Jordan Creek	Lehigh CD (610) 391-9583
Centre County College Township	PAR10F077	Pa. State University Dairy Barn Clean Fill Project 101 P Office of Physical Plan University Park, PA 16802	Big Hollow and Unt. to Spring Creek	Centre County Cons. Dist. 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Columbia County Hemlock Creek Township	PAR102136	Penn Brooks Subdivision Alfred Nevel 134 School House Rd. Bloomsburg, PA 17815	Unt. Hemlock Creek	Columbia County Cons. Dist. 702 Sawmill Rd. Suite 105 Bloomsburg, PA 17815 (717) 784-1310

*General Permit Type—PAG-3*

*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>
Lehigh County Upper Saucon Township	PAR802215	Pitt Ohio Express, Inc. 45 26th Street Pittsburgh, PA 15222	Unnamed Tributary to Saucon Creek	Northeast Region Water Management 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Columbia County Sugarloaf Township	PAR204829	Benton Foundry Inc. R. D. 2 Box 110 Benton, PA 17814	Hess Run	Northcentral 208 W. Third Street Williamsport, PA 17701 (717) 327-3664

*General Permit Type—PAG-4**Facility Location  
County and  
Municipality**Permit No.**Applicant Name  
and Address**Receiving Stream  
or Body of Water**Contact Office and  
Telephone No.*Hayfield Township  
Crawford County

PAG048536

Lisa H. and Richard C.  
Schmalzried  
13470 Foster Rd.  
Conneautville, PA 16406Unnamed  
Tributary  
CussewagoNorthwest Region  
Water Management  
230 Chestnut St.  
Meadville, PA  
16335-3481  
(814) 332-6942West Salem Township  
Mercer County

PAG048550

Paul Lokovich  
76 N. Summit Rd.  
Greenville, PA 16125

Tributary Big Run

Northwest Region  
Water Management  
230 Chestnut St.  
Meadville, PA  
16335-3481  
(814) 332-6942Bedford County  
East Providence  
Township

PAG043606

William and Althea Dietzel  
2914 Hamilton Avenue  
Baltimore, MD 21214

French Run

Southcentral Region  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707Clearfield County  
Bradford Township

PAG045042

Boyd and Alice E. Walker  
R. D. 1, Box 28A  
Woodland, PA 16881UNT to  
Roaring RunNorthcentral  
208 W. Third Street  
Williamsport, PA 17701  
(717) 327-3664Northumberland  
County  
Lewis Township

PAG045043

William F. Miller  
P. O. Box 143  
Muncy, PA 17756-0143UNT to  
Warrior RunNorthcentral  
208 W. Third Street  
Williamsport, PA 17701  
(717) 327-3664Centre County  
Huston Township

PAG045024

John Sr. and Gail E. Teti  
1203 Steele Hollow Road  
Julian, PA 16844

Steele Hollow Run

Northcentral  
208 W. Third Street  
Williamsport, PA 17701  
(717) 327-3664Snyder County  
Union Township

PAG045041

Harvey S. Martin  
R. R. 1, Box 651  
Port Trevorton, PA 17864

Silver Creek

Northcentral  
208 W. Third Street  
Williamsport, PA 17701  
(717) 327-3664Potter County  
Bingham Township

PAG045038

Charles Peidle  
2901 Hickox-Ulysses Rd.  
Genesee, PA 16923UNT to  
GeneseeNorthcentral  
208 W. Third Street  
Williamsport, PA 17701  
(717) 327-3664*General Permit Type—PAG-9**Facility Location  
County and  
Municipality**Permit No.**Applicant Name  
and Address**Receiving Stream  
or Body of Water**Contact Office and  
Telephone No.*Wayne County  
Berlin Township

PAG09-2205

Koberlein, Inc.  
R. R. 4, Box 414  
Honesdale, PA 18431

N/A

Northeast Region  
2 Public Square  
Wilkes-Barre, PA  
18711-0790  
(570) 826-2511**SEWAGE FACILITIES ACT  
PLAN APPROVAL****Plan approval granted under the Pennsylvania  
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Regional Office: Water Management Program Manager,  
Southcentral Region, 909 Elmerton Ave., Harrisburg, PA  
17110.**Location: Centre Township, Perry County, P. O. Box  
727, New Bloomfield, PA 17068.*Approved plan provides for a sewer line extension to  
serve an existing strip mall currently using OLDS. Addi-tionally, a well drillers ordinance will be adopted and  
modifications made to the existing subdivision and land  
development and holding tank ordinances. Areas of the  
municipality located in high quality watershed as well as  
areas having elevated levels of nitrate-nitrogen contami-  
nation have been identified and new land development  
planning procedures modified accordingly. The Depart-  
ment's review of the sewage facilities update revision has  
not identified any significant environmental impacts re-  
sulting from this proposal.*Northeast Regional Office: Water Management Program  
Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790,  
(717) 826-2553.*

*Location:* Lommerin Cottage Repair, 1,800 feet north of intersection of Jacoby Creek Road and Potomac Street on Jacoby Creek Road, Upper Mt. Bethel Township, Northampton County.

*Project Description:* This project proposes the repair of a malfunctioning onlot sewage disposal system serving a single family residence on a 1.97 acre lot. A small flow treatment facility is proposed to serve the existing dwelling with a sewage flow of 400 gpd.

Soil probes evaluated on the lot by the township sewage enforcement officer indicated unsuitable soils for the installation of an onlot sewage disposal system. A Norweco Model 960 sewage treatment plant is proposed for use by the property owner. The treated effluent will be discharged to the Jacoby Creek which has a cold water fishes designation in 25 Pa. Code, Chapter 93 Water Quality Standards.

The property owners and Upper Mt. Bethel Township have entered into an installation and maintenance agreement as required in 25 Pa. Code § 71.72(a).

An individual well will supply water to the lot.

In the event that municipal, public sewage facilities become available to this property in the future, the small flow treatment facility proposed must be abandoned and connection made to the municipal system.

### SAFE DRINKING WATER

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

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

**Permit No. 4698505.** Public water supply. **Collegeville Park Water Association**, 3450 Baker Street, Collegeville, PA 19426. The permitting of existing well no. 2 to be added as an additional water supply source for the Collegeville Park Water Association in Lower Providence Township, **Montgomery County**. *Type of Facility:* Public Water Supply System. *Consulting Engineer:* Robert F. Preston, Engineering, 831 DeKalb Pike, Blue Bell, PA 19422. *Permit to Construct Issued:* December 10, 1998.

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

**Permit No. 2298502.** Public water supply. **Pennsylvania-American Water Company**, West Hanover Township, **Dauphin County**. *Responsible Official:* Steven J. Seidl, P.E., Vice-President-Engineering, Pennsylvania-American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033. *Type of Facility:* Construction of a booster pumping station at an existing 150,000 gallon storage tank. Chlorination equipment will be provided.

**Permit No. 3198504.** Public water supply. **Warriors Mark General Authority**, Warriors Mark Township, **Huntingdon County**. *Responsible Official:* Terry Ellenberger, Chairperson, Warriors Mark General Authority, P. O. Box 122, Warriors Mark, PA 16877. *Type of Facility:* Development of Cox Well No. 4 and the construction of a 227,000 gallon water storage tank.

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

**Permit No. 2098501.** Public water supply. **Cambridge Springs Borough**, 26 Federal Street, Cambridge Springs, PA 16403 has been issued a construction permit for improvements to the plant which consists of chlorine contact loop and switch from liquid to gas chlorination in Cambridge Springs Borough, **Crawford County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* Bruce Patterson, P. E., Northwest Engineering, Inc., P. O. Box Q, R. R. 1, Tidioute, PA 16351. *Permit to Construct Issued:* December 4, 1998.

### HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Notice of Settlement

#### Quakertown Foundry PAPL Site, Quakertown, Bucks County, PA

The Department of Environmental Protection (Department), under the authority of the Hazardous Site Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1304), hereby gives notice that it has entered into Consent Decrees (CDs) with the Borough of Quakertown (Borough), Hajoca Corporation (Hajoca), Olympic Foundry, Inc. (Olympic) and Bibby Foundry Limited (Bibby) (now known as 535812 Ontario Ltd.) associated with the remediation at the Quakertown Foundry Site in Quakertown, Bucks County, PA.

The Quakertown Foundry Site (Site) is approximately 22 acres in size and is located at 400 Mill Street, in Quakertown Borough, Quakertown, PA. The Site is listed on the Pennsylvania Priorities List (PAPL). The Site includes the former foundry property and an adjacent municipal ballfield that was partially developed from foundry wastes. The wastes consist primarily of a mixture of spent casting sand, furnace slag and baghouse dusts. The Borough, Hajoca, Olympic and Bibby have been identified as responsible parties for the Site. The Department is currently directing a Remedial Response at the Site.

Through these CDs, the Borough, Hajoca, Olympic and Bibby would resolve any potential liability to the Department for the release of hazardous substances or contaminants identified and addressed in the Statement of Decision for the Site. Each settling defendant shall become eligible for contribution protection from actions for contribution, provided the settling defendant is in full compliance with the terms and conditions of the CD. Under the terms of the CD, the Borough, Hajoca, Olympic and Bibby will remit a total of \$1,985,000 to the Department.

This notice is being provided under section 1113 of HSCA (35 P. S. § 6020-1113). The Department will provide for a 60 day public comment period on the proposed CD from the date of publication of this notice. Under section 1113 of HSCA, the CD will become final when the Department files its response to any significant public comments received during the comment period. The CD may be examined from 8 a.m. to 4 p.m. in the Department's Southeast Field Office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428. Interested persons may contact M. Thomas Mellott at (610) 832-5934 or Anderson Lee Hartzell at (610) 832-6300. Persons may submit written comments to M. Thomas Mellott at the previous address.

## SOLID AND HAZARDOUS WASTE LICENSE TO TRANSPORT HAZARDOUS WASTE

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

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

**South Windsor Metallurgical, Inc.**, 300 Rye Street, South Windsor, CT 06074; License No. **PA-AH 0605**; license issued November 17, 1998.

**TNI (USA), Inc. d/b/a AATCO**, P. O. Box 856, Duenweg, MO 64841; License No. **PA-AH 0604**; license issued November 5, 1998.

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

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

**Envirite of Illinois, Inc.**, 16435 Center Avenue, Harvey, IL 60426; License No. **PA-AH 0547**; renewal license issued November 9, 1998.

**Envirite of Pennsylvania, Inc.**, 1600 Pennsylvania Avenue, York, PA 17404; License No. **PA-AH 0549**; renewal license issued October 19, 1998.

**Environmental Equipment and Services, Inc.**, P. O. Box 8, Swedesboro, NJ 08085; License No. **PA-AH 0472**; renewal license issued October 20, 1998.

**Griffin Industrial Services, Inc.**, P. O. Box 519, East Syracuse, NY 13057; License No. **PA-AH 0471**; renewal license issued October 20, 1998.

**KVS Transportation, Inc.**, P. O. Box 5295, Bakersfield, CA 93388; License No. **PA-AH 0536**; renewal license issued October 9, 1998.

**Osmose, Inc.**, 980 Ellicott Street, Buffalo, NY 14209-2398; License No. **PA-AH 0309**; renewal license issued November 18, 1998.

**Pollution Control Industries, Inc.**, 4343 Kennedy Avenue, East Chicago, IN 46312; License No. **PA-AH 0537**; renewal license issued November 17, 1998.

**Remtech Environmental (Lewisberry) L.P.**, 550 Industrial Drive, Lewisberry, PA 17339-9537; License No. **PA-AH 0146**; renewal license issued November 4, 1998.

**RFE Industries, Inc.**, Foot of Jersey Avenue, Jersey City, NJ 07302; License No. **PA-AH S126**; renewal license issued November 9, 1998.

**Select Transportation, Inc.**, 5055 Nike Drive, Columbus, OH 43026; License No. **PA-AH 0469**; renewal license issued October 19, 1998.

**Sanford Motors, Inc.**, 1307 S. Pennsylvania Avenue, Morrisville, PA 19067; License No. **PA-AH S178**; renewal license issued September 29, 1998.

**Technic, Inc.**, 1 Spectacle Street, Cranston, RI 02910; License No. **PA-AH S134**; renewal license issued October 20, 1998.

**Terra First, Inc.**, P. O. Box 1259, Vernon, AL 35592; License No. **PA-AH 0348**; renewal license issued November 18, 1998.

**Transport ROLLEX LTEE**, 910 Boul Lionel-Boulet, Varennes Quebec Canada J3X 1P7; License No. **PA-AH 0544**; renewal license issued November 9, 1998.

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

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

**Clean America, Inc.**, 3300 Childs Street, Baltimore, MD 21226; License No. **PA-AH 0375**; license expired on June 30, 1998.

**Reading Industrial Scrap, Inc.**, P. O. Box 163, Reading, PA 19603; License No. **PA-AH 0173**; license expired on October 31, 1998.

**Roanoke Electric Steel Corporation**, P. O. Box 13948; Roanoke, VA 24038-3948; License No. **PA-AH 0306**; license expired on October 31, 1998.

## RESIDUAL WASTE PROCESSING FACILITIES

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

*Northeast Regional Office: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2516.*

**Permit I. D. No. 30002. Portland Station Bangor Quarry Ash Disposal Site**, GPU Generation, Inc. (GPU Genco), 1001 Broad Street, Johnstown, PA 15907. A permit reissuance, authorizing the construction and operation of a captive, Class II residual waste landfill at the former Metropolitan Edison Bangor Ash Disposal Site, located in Bangor Borough, **Northampton County**. This captive monofill will only receive approved residual waste from the Metropolitan-Edison Portland Power Plant. This landfill has a composite liner system except on the highwall areas where a 100 mil textured HDPE liner will be utilized for reasons of stability. This permit provides for landfill operations for the next 10 years in accordance with the residual waste regulations. The permit reissuance was approved by the Regional Office on December 3, 1998.

## AIR QUALITY

### OPERATING PERMITS

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

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

**GP1-67-3053: FKI Industries, Inc./ACCO Chain & Lifting Products Division** (76 Acco Drive, Box 792, York, PA 17405) authorized use of the general permit for

two natural gas/no. 2 oil fired combustion units in York Township, **York County**.

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

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

**OP-46-0011: Bethlehem Lukens Plate** (Conshohocken Road, Conshohocken, PA 19428) issued December 11, 1998, for operation of a Facility VOC/NOX RACT in Plymouth Township, **Montgomery County**.

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

**TVOP# 49-00003: ACF Industries, Inc., Amcar Division** (P. O. Box 109, Milton, PA 17847) issued December 8, 1998, for grit blasting, surface coating and curing operations associated with the manufacture of railcars in Milton Borough, **Northumberland County**.

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

**10-303-007A: IA Construction Corp.** (P. O. Box 568, Franklin, PA 16323) issued October 28, 1998, for operation of a batch asphalt plant in Mercer Township, **Butler County**.

**PA-42-183A: Ferrontec, Inc.** (300 Chestnut Street, Bradford, PA 16701) issued December 30, 1998, for operation of a spray dryer exhaust in Bradford, **McKean County**.

**PA-43-304A: Greenville Veterinary Clinic** (409 East Jamestown Road, Greenville, PA 16125) issued December 31, 1998, for operation of an incinerator in Greenville, **Mercer County**.

**43-399-016: GE Transportation Systems** (1503 West Main Street Extension, Grove City, PA 16127) issued December 31, 1998, for operation of test cells in Grove City, **Mercer County**.

**PA-61-020A: Allied Signal, Emlenton Plant** (P. O. Box 3367, Smethport, PA 16749) issued October 31, 1998, for operation of an earth burner in Emlenton, **Venango County**.

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

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

**OP-09-0027: Fres-Co System USA, Inc.** (3005 State Road, Telford, PA 18969) issued December 11, 1998, for Facility VOC/NOx RACT in West Rockhill Township, **Bucks County**.

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**PLAN APPROVALS**

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

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

**PA-09-0095A: Puralube, Inc.** (USX Property, Fairless Hills, PA 19030) issued December 11, 1998, for operation of two process heaters in Falls Township, **Bucks County**.

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

**36-03071: Humane League of Lancaster County** (2195 Lincoln Highway East, Lancaster, PA 17602) issued December 9, 1998, for installation of two animal cremators in East Lampeter Township, **Lancaster County**.

**36-05015A: Dart Container Corp.** (60 East Main Street, Leola, PA 17540) issued December 8, 1998, for modification of a DI foam production development line in Upper Leacock Township, **Lancaster County**.

**36-309-083B: Buck Co., Inc.** (R. D. 1, Box 230, Quarryville, PA 17566) for construction of six storage tanks controlled by six bin vent collectors in Providence Township, **Lancaster County**.

**67-420-054: Lehigh Portland Cement Co.** (200 Hokes Mill Road, York, PA 17404) issued December 8, 1998, for installation of a plaster mold roll crusher in West Manchester Township, **York County**.

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

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

**07-310-025: Grannas Bros. Stone & Asphalt Co., Inc.** (P. O. Box 488, Hollidaysburg, PA 16648) granted December 7, 1998, to authorize temporary operation for the limestone crushing and screening plant controlled by water sprays, under this Plan Approval until April 6, 1999, at the Ganister Quarry, in Catherine Township, **Blair County**.

**21-02005A: Pennsylvania Department of Corrections/SCI Camp Hill** (P. O. Box 598, Camp Hill, PA 17001) granted November 18, 1998, to authorize temporary operation for three boilers controlled by a baghouse, under this Plan Approval until March 17, 1999, in Lower Allen Township, **Cumberland County**.

**21-317-058: The Quaker Oats Co.** (P. O. Box 3040, Shiremanstown, PA 17011) granted December 1, 1998, to authorize temporary operation for the high pressure no. 4 extrusion line, under this Plan Approval until March 30, 1999, in Hampden Township, **Cumberland County**.

**67-304-034B: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, Hanover, PA 17331) granted November 28, 1998, to authorize temporary operation for the ductile iron foundry, under this Plan Approval until March 27, 1999, in Hanover Borough, **York County**.

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

**10-399-018: Resolite, A United Dominion Co.** (Route 19 North, Box 338, Zelienople, PA 16063) issued December 30, 1998, for a fiberglass pultrusion process in Jackson Township, **Butler County**.

**PA-24-012A: Carbide/Graphite Group, Inc.** (800 Theresia Street, St. Marys, PA 15857) issued November 30, 1998, for plant 3 coke and graphite material handling, milling, screening and mixing in St. Marys, **Elk County**.

**PA-25-069A: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) issued November 30, 1998, for a blender loader in Erie, **Erie County**.

**25-327-004: Spectrum Control, Inc.** (8061 Avonia Road, Fairview, PA 16415) issued October 28, 1998, for open top vapor degreasers in Fairview, **Erie County**.

**25-327-005: Spectrum Control, Inc.** (6000 West Ridge Road, Erie, PA 16506) issued October 28, 1998, for vapor degreasers in Erie, **Erie County**.

**42-322-001: McKean County Solid Waste Authority** (P. O. Box 448, Mt. Jewett, PA 16740) issued September 30, 1998, for a landfill gas extraction system in Sergeant Township, **McKean County**.

**42-399-026A: Allegheny MDF Limited Partnership** (R. D. 1, Box 226, Kane, PA 16735) issued December 30, 1998, for a material reject air system in Sergeant Township, **McKean County**.

**42-399-027A: Allegheny MDF Limited Partnership** (R. D. 1, Box 226, Kane, PA 16735) issued December 30, 1998, for dryers and cone sander dust burner in Sergeant Township, **McKean County**.

**42-399-028A: Allegheny MDF Limited Partnership** (R. D. 1, Box 226, Kane, PA 16735) issued December 30, 1998, for high pressure chip system in Sergeant Township, **McKean County**.

**42-399-030: Allegheny MDF Limited Partnership** (R. D. 1, Box 226, Kane, PA 16735) issued December 30, 1998, for sander dust systems in Sergeant Township, **McKean County**.

**42-399-031: Allegheny MDF Limited Partnership** (R. D. 1, Box 226, Kane, PA 16735) issued December 30, 1998, for a sawdust and fuel system in Sergeant Township, **McKean County**.

**43-313-001B: Caparo Steel Co.** (15 Roemer Boulevard, Farrell, PA 16121) issued December 31, 1998, for an acid regeneration plant in Farrell, **Mercer County**.

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

#### Coal Applications Issued

**32980107. Fossil Fuel, Inc.** (R. D. 2, Box 73, Marion Center, PA 15759), commencement, operation and restoration of a bituminous strip-auger mine in Grant Township, **Indiana County**, affecting 120.0 acres, receiving stream unnamed tributary to Little Mahoning Creek. Application received July 24, 1998. Permit issued December 2, 1998.

**56930106. Permit Renewal, Future Industries, Inc.** (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of bituminous strip mine in Black Township, **Somerset County**, affecting 191.0 acres, receiving stream unnamed tributaries to/and Caselman River. Application received October 15, 1998. Permit issued December 8, 1998.

**56733038. Permit Renewal, PBS Coals, Inc.** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541), continued restoration of a bituminous strip mine for reclamation, only in Somerset Township, **Somerset County**, affecting 518.6 acres, receiving stream unnamed tributary to East Branch Coxes Creek. Application received September 24, 1998. Permit issued December 8, 1998.

**56813006. Permit Renewal, NSM Coals, Inc.** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541), continued restoration of a bituminous strip mine for reclamation, only in Stonycreek Township, **Somerset County**, affecting 929.7 acres, receiving stream to unnamed tributaries to Clear Run and to Clear Run; and to Boone Run. Application received September 24, 1998. Permit issued December 8, 1998.

**56930105. Permit Renewal, Big J Mining, Inc.** (1842 Main Street, Hastings, PA 16646), commencement, operation and restoration of bituminous strip mine in Jenner Township, **Somerset County**, affecting 58.0 acres, receiving stream unnamed tributary to/and Pine Run. Application received October 13, 1998. Permit issued December 11, 1998.

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

**30970101. Taylortown Mining, Inc.** (P. O. Box 298, Point Marion, PA 15474). Permit issued for commencement, operation and reclamation of a bituminous surface auger mine located in Dunkard Township, **Greene County**, affecting 25.0 acres. Receiving streams: unnamed tributary to Dunkard Creek, Dunkard Creek to the Monongahela River. Application received: February 27, 1997. Permit issued: December 7, 1998.

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

**54980102. Triple T. Mining Company** (101 West Main Street, P. O. Box 376, Ringtown, PA 17967), commencement, operation and restoration of a surface mine operation in Blythe Township, **Schuylkill County** affecting 140.0 acres, receiving stream—none. Permit issued November 4, 1998.

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

#### Noncoal Permits Issued

**6275SM2C3. Milestone Materials, Inc.** (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231), renewal of NPDES Permit No. PA0594539 in Limestone and Liberty Townships, **Montour County**, receiving

stream—unnamed tributary to Chillisquaque Creek and Chillisquaque Creek. Renewal issued December 9, 1998.

**7973SM1C. Haines & Kibblehouse, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit No. PA0595683 in Penn Forest Township, **Carbon County**, receiving stream—Stony Creek. Renewal issued December 9, 1998.

**7973SM3C4. Miller Quarries** (Mill Creek Road, Rushland, PA 18956), renewal of NPDES Permit No. PA0594369 in Wrightstown Township, **Bucks County**, receiving stream—Mill Creek. Renewal issued December 9, 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, (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), 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.*

**E09-766.** Encroachment Permit. **Lower Makefield Township**, 1100 Edgewood Road, Yardley, PA 19067-1696 and **Yardley Borough**, 56 South Main Street, Yardley, PA 19067. To remove a 72-inch corrugated metal pipe culvert and associated endwalls along Oxford Road and to install and maintain an approximately 29.5 foot long twin cell 10-foot by 5-foot reinforced concrete box culvert and associated wingwalls, at this location, in and along Silver Creek (WWF). Also, to install and maintain a 24-inch and a 15-inch RCP stormwater outfall within the proposed northeast wingwall. The site is located approximately 700 feet east of the intersection of Oxford Road and Oxford

Valley Road (Trenton West, NJ-PA USGS Quadrangle N: 19.6 inches; W: 11.5 inches) in Lower Makefield Township and Yardley Borough, **Bucks County**.

**E23-363.** Encroachment Permit. **Glen Mills School**, P. O. Box 137, Concordville, PA 19331. To impact three unnamed tributaries to Chester Creek (TSF, MF) by excavating or placing fill within their 100-year floodway associated with the construction of cartway paths and foot bridges at the proposed 18 hole Golf Course situated at the Glen Mills School. The project also includes replacement of the existing 50-foot long, 48-inch RCP culvert with a 4.5-foot by 18.5-foot precast concrete box culvert adjacent to the proposed modified dam structure, and excavation to construct 100 linear feet of streambed relocation. The pond modifications will require dredging of the existing pond, placing fill to diminish the water surface of the pond, and construction of intake and outfall structures for the purpose of converting it into a water irrigation storage facility. Also proposed are temporary stream crossings, utility line stream and wetlands crossings. The total project wetland impact is 0.72 acre. The site is located along Glen Mills Road (S. R. 4016), approximately 1 mile east of its intersection with Cheyney Road (S. R. 4015) (West Chester, PA Quadrangle N: 8.75 inches; W: 0.5 inch and Media, PA Quadrangle N: 9.0 inches; W: 17.0 inches) in Thornbury Township, **Delaware County**. The permittee will provide 0.89 acre of wetland replacement.

**E15-558.** Encroachment Permit. **Black Rock Country Club**, 2404 Romig Road, Gilbertsville, PA 19525. To construct and maintain an approximately 360 foot long × 5 foot wide floating main dock, 22, 18 foot long finger piers, 3, 18 foot long access ramps and associated 40 foot long by 20 foot wide concrete boat launch ramp, along the southern bank of the Schuylkill River (WWF, MF) for private use. The pier parallels the river bank. This pier is located approximately 500 feet upstream of the Black Rock Road Bridge (S. R. 113) (Phoenixville, PA Quadrangle N: 6.00 inches; W: 1.75 inches) in the Borough of Phoenixville, **Chester County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E07-299.** Encroachment. **Daniel Campbell**, 160 McDonald Road, Duncansville, PA 16635. To authorize previously placed unpermitted fill material in the floodway of an unnamed tributary to McDonald Run for the purpose of constructing a parking area for a commercial business located about 0.9 mile west of the village of Leamersville (Hollidaysburg, PA Quadrangle N: 0.61 inch; W: 10.4 inches) in Freedom Township, **Blair County**. This permit was issued under section 105.13(e) "Small Projects."

**E07-300.** Encroachment. **Westvaco Corporation**, Paul Budris, 1600 Pennsylvania Avenue, Tyrone, PA 16686. To remove an existing stone masonry retaining wall and to construct and maintain a 13.0-foot high, 75-foot long steel reinforced concrete retaining wall and to underpin with concrete another 120 feet of existing stone masonry wall along the south side of Bald Eagle Creek (TSF) located at the Westvaco manufacturing facility in Tyrone, PA (Tyrone, PA Quadrangle N: 10.0 inches; W: 15.0 inches) in Snyder Township, **Blair County**. This

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

**E38-120.** Encroachment. **Crossgates, Inc.**, Donald Smith, 3555 Washington Road, McMurray, PA 15317. To fill 0.912 acre of wetlands and realign 1,720 linear feet of an intermittent stream channel to Forge Creek for construction of a 1.1 million square foot warehouse/distribution facility consisting of three truck courts, an office building and a 1,200 car parking lot on Lot 1. The five lot Northport Industrial Park will be located at the north-eastern corner of Fisher Avenue and Bordnersville Road about 1/2 mile west of Interchange 30 of Interstate 81 (Indiantown Gap, PA Quadrangle N: 13.75 inches; W: 3.75 inches) in Union Township, **Lebanon County**. The permittee will provide 1.19 acres of replacement wetlands. This permit also includes 401 Water Quality Certification.

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

**E52-156.** Encroachment. **Borough of Milford**, 111 West Catherine Street, Milford, PA 18337. To maintain a 12-inch ADS pipe stormwater outfall along the left bank of Sawkill Creek. The project is located along Sawkill Avenue, approximately 600 feet west of the junction of S. R. 0006 and U. S. Route 209 (Milford, PA-NJ Quadrangle N: 13.1 inches; W: 7.7 inches), in Milford Borough, **Pike County**.

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

**E14-328.** Encroachment. **Smith Partnership**, James Smith, P. O. Box 679, State College, PA 16804. To construct and maintain a low flow culvert crossing with three 42-inch CMP pipes and two 30-inch CMP pipes in Bullit Run off Bullit Run Road approximately 1 mile north of Route 150 (Mingoville, PA Quadrangle N: 21.75 inches; W: 13.75 inches) in Howard Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1247.** Encroachment. **The McMurray Road Family Limited Partnership**, 116 Kenric Avenue, Donora, PA 15033. To construct and maintain a parking area, driveway and a walkway/bike trail on the left bank of McLaughlin Run (WWF) to provide access to the residence at Upper St. Clair and to construct and maintain two outfall structures on the left bank of said stream. The project is located on the east side of McMurray Road (S. R. 3004), approximately 700 feet southeast from the intersection of McMurray Road and Washington Road (Bridgeville, PA Quadrangle N: 14.5 inches; W: 9.5 inches) in Upper St. Clair Township, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

#### ENVIRONMENTAL ASSESSMENT

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

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

**EA09-016C0.** Environmental Assessment. **Legacy Oaks Development Associates, L. P.** (975 Easton Road, Warrington, PA 18976). To construct and maintain a nonjurisdictional dam in the watershed of a tributary to Little Neshaminy Creek (WWF, MF) impacting approximately 0.56 acre of wetlands (PEM) for the purpose of stormwater management at the proposed Legacy Oaks subdivision located immediately northwest of the intersection of Street Road (S. R. 3001) and Folly Road (T-389) (Ambler, PA Quadrangle N: 22.60 inches; W: 6.25 inches) in Warrington Township, **Bucks County**.

**EA14-003C0.** Environmental Assessment. **Rockspar Land Development** (185 Haymaker Circle, State College, PA 16801). To construct and maintain a nonjurisdictional dam across a tributary to Little Fishing Creek (HQ-CWF) for recreation located in Markle Gap (Madisonburg, PA Quadrangle N: 11.25 inches; W: 14.85 inches) in Walker Township, **Centre County**.

### SPECIAL NOTICES

#### Request for Proposals for Municipal Solid Waste Services for Snyder County

In accordance with section 272 of the Pennsylvania Solid Waste Rules and Regulations (as amended) and section 502(d) of Act 101 of 1988, the Municipal Waste Planning, Recycling and Waste Reduction Act, the County of Snyder has determined that waste disposal capacity for municipal solid waste (MSW) including construction/demolition (C/D) waste and sewage sludge generated within the county is required for a minimum of 5 years and a maximum of 10 years. The county is hereby soliciting proposals for disposal of county generated MSW, to begin on January 1, 2001.

Sealed proposals will be received by the Snyder County Solid Waste Management Authority at the Snyder County Courthouse, 9 West Market Street, P. O. Box 2217, Middleburg, PA 17842 until 4 p.m., on Wednesday, March 3, 1999. All proposals will be publicly opened by the Snyder County Solid Waste Management Authority at 8 p.m. on Wednesday, March 3, 1999, at the County Courthouse.

Copies of the RFP may be purchased on or after January 11, 1999, only from the Snyder County Solid Waste Management Authority, Office of the County Recycling Coordinator, County Courthouse, Middleburg, PA 17842, (717) 837-4291 by prepayment of a nonrefundable amount of \$50 per proposal. Make checks payable to the Snyder County Solid Waste Management Authority.

All proposals must be made on the proposal forms and be in accordance with the instruction to proposers contained in this Request for Proposals. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the proposer, the statement "Proposal for Municipal Solid Waste Services" and be addressed to: Snyder County Solid Waste Management Authority, Snyder County Courthouse, 9 West Market Street, P. O. Box 217, Middleburg, PA 17842, Attention: Debbie Wolf, Recycling Coordinator.

Snyder County reserves the right to reject any or all proposals, to waive any irregularities or informalities in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the county.

**Submission Date for Grant Applications Under the  
Solid Waste-Resource Recovery Development  
Act 198 of 1974**

The Department of Environmental Protection (Department) announces that it is accepting Resource Recovery Demonstration Grant applications from counties, municipalities and municipal authorities within this Commonwealth under the Pennsylvania Solid Waste-Resource Recovery Development Act of 1974, Act 198. Projects must be capable of demonstrating, for a minimum of 2 years, the production of energy or the recovery of materials from solid waste (except sewage sludge). Grant applications must meet the terms and conditions established in Chapter 76 of the Department's regulations adopted under Act 198.

Priority in selecting successful applicants during this application solicitation will be given to unique and innovative resource recovery projects not previously demonstrated or currently being demonstrated in this Commonwealth. Priority in selecting successful applicants during this application solicitation will also be given to unique and innovative resource recovery demonstration projects involving regional cooperative projects involving more than one county or municipality. Other types of resource recovery projects may also be considered. All projects must be capable of being replicated in other areas of this Commonwealth.

All applicants must provide a business plan and market commitments for energy or materials produced by the

demonstration project. All projects should be capable of reaching full scale production within 12 months of notice of a grant award.

A lead municipality or county serving as the development agency for regional projects must have resolutions from other participating counties or municipalities in support of the project. Counties and municipalities may sponsor cooperative projects with private sector entities provided that a minimum of 5% equity in the project is maintained by the development agency for the term of the demonstration period.

The deadline for submission of grant applications is 3 p.m. March 18, 1999. Applications must be on forms provided by the Department. Applications received by the Department or post marked after the deadline will not be considered during this application solicitation.

Counties and municipalities must contact the appropriate Department Planning and Recycling Coordinator listed to obtain a grant application. A pre-application conference with the DEP Regional Planning and Recycling Coordinator is required. Inquiries concerning this notice should be directed to Carl Hursh, Chief, Recycling and Markets, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

**Regional Planning and Recycling Coordinators**

*Southeast Region*

DEP, Bureau of Land Recycling and Waste Management  
Lee Park, Suite 6010, 555 North Lane  
Conshohocken, PA 19428-2233

Calvin Lignons  
Ann Ryan  
Mary Alice Reisse  
(610) 832-6212

*Bucks, Chester, Delaware, Montgomery and Philadelphia Counties*

*Northeast Region*

DEP, Bureau of Land Recycling and Waste Management  
2 Public Square  
Wilkes-Barre, PA 18711-0790

Chris Fritz  
Joan Banyas  
(717) 826-2516

*Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties*

*Southcentral Region*

DEP, Bureau of Land Recycling and Waste Management  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200

Belinda May  
(717) 705-4706

*Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties*

*Northcentral Region*

DEP, Bureau of Land Recycling and Waste Management  
208 W. 3rd Street, Suite 101  
Williamsport, PA 17701

Ron Sommers  
(717) 327-3653

*Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties*

*Southwest Region*

DEP, Bureau of Land Recycling and Waste Management  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Sharon Svitek  
Stephen Sales  
Bob Emmert  
(412) 442-4000

*Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties*

*Northwest Region*

DEP, Bureau of Land Recycling and Waste Management  
230 Chestnut Street  
Meadville, PA 16335-3481

Guy McUmbur  
(814) 332-6848

*Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties*

**Proposed Source Water Assessment and Protection Program for Public Drinking Water Sources Under the Safe Drinking Water Act Amendments**

As required under section 1453 of the Safe Drinking Water Act, the Department of Environmental Protection (Department) has developed a proposed source water assessment and protection (SWAP) program to protect drinking water sources used by public drinking water systems from contamination that may have an adverse effect on public health. The proposed SWAP program has been developed, as required, in accordance with the *State Source Water Assessment and Protection Programs Guidance (Final Guidance)*, published by the United States Environmental Protection Agency (EPA) on August 6, 1997. The SWAP program is required to be submitted to the EPA by February 6, 1999. The State is required to have all water sources serving public drinking water systems to be assessed 2 years after EPA approval of the State SWAP program. Participation in the source water protection portion of the program is voluntary for water purveyors. The Wellhead Protection Program which was submitted to the EPA in March of 1998 in compliance with section 1428 of the Safe Drinking Water Act will serve as the cornerstone of the SWAP program and addresses most aspects of assessments for groundwater sources serving public water systems.

Following the public comment period which closes January 22, 1999, the Department will submit the document, *Pennsylvania Source Water Assessment and Protection Program* to the EPA for approval.

Requests for copies of the document, *Pennsylvania Proposed Source Water Assessment and Protection Program*, and written comments may be directed to Joseph J. Lee, Jr., Chief, Source Protection Section, Division of Drinking Water Management, Bureau of Water Supply Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 772-4018. The document, *Pennsylvania Proposed Source Water Assessment and Protection Program*, is also available on the DEP website at <http://www.dep.state.pa.us> (choose information by Subject/Water Management/Drinking).

[Pa.B. Doc. No. 98-2118. Filed for public inspection December 24, 1998, 9:00 a.m.]

**Advisory Board/Committee Meetings Schedules for 1999**

The following is a list of 1999 meetings of the advisory boards and committees associated with the Department of Environmental Protection (Department). Notice of these meetings is being given in accordance with the Sunshine Act.

These schedules and an agenda for each meeting will be available through the Public Participation Center on the Department's Web site at <http://www.dep.state.pa.us>.

*Agricultural Advisory Board*

The Agricultural Advisory Board meetings for 1999 will be held the third Wednesday of the even numbered

months, with the exception of the month of August, when the meeting will be the fourth Wednesday of the month. All meetings will begin at 10 a.m. and will be held in Room 105 of the Rachel Carson State Office Building on the following dates:

February 17, 1999  
April 21, 1999  
June 16, 1999  
August 25, 1999  
October 20, 1999  
December 15, 1999

Contact: Dean Auchenbach, Bureau of Water Quality Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5668 or e-mail [Auchenbach.Dean@a1.dep.state.pa.us](mailto:Auchenbach.Dean@a1.dep.state.pa.us).

*Air Quality Technical Advisory Committee*

The Air Quality Technical Advisory Committee (AQTAC) meetings will be held at 9:30 a.m. in Room 105 of the Rachel Carson State Office Building, unless otherwise noted, on the following dates:

January 22, 1999 (C. Ted Lick Wildwood Conference Center, Harrisburg Area Community College)  
March 25, 1999  
May 21, 1999  
July 22, 1999  
September 24, 1999  
November 18, 1999

Contact: Terry Black, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-2030 or e-mail [Black.Terry@a1.dep.state.pa.us](mailto:Black.Terry@a1.dep.state.pa.us).

*Biosolids Education Workgroup*

The Biosolids Education Workgroup meetings will be held at 9:30 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building on the following dates:

January 21, 1999  
March 18, 1999  
May 20, 1999  
July 15, 1999  
September 16, 1999  
November 18, 1999

Contact: John W. Borland, Division of Wastewater Management, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-7423 or e-mail [Borland.John@a1.dep.state.pa.us](mailto:Borland.John@a1.dep.state.pa.us).

*Biosolids Technical Workgroup*

The Biosolids Technical Workgroup meetings will be held at 9:30 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building on the following dates:

January 15, 1999  
March 19, 1999  
May 6, 1999  
July 9, 1999  
September 2, 1999  
November 4, 1999

Contact: John W. Borland, Division of Wastewater Management, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-7423 or e-mail Borland.John@a1.dep.state.pa.us.

*Bituminous Mine Safety Advisory Committee*

The Pennsylvania Bituminous Mine Safety Advisory Committee meetings will be held at 10 a.m. in the Fayette County Health Center in Uniontown on the following dates:

January 27, 1999  
April 14, 1999  
July 14, 1999  
October 13, 1999

Contact: Allison Trader, Bureau of Deep Mine Safety, Fayette County Health Center, Room 167, 100 New Salem Road, Uniontown, PA 15401, (724) 439-7469 or e-mail Trader.Allison@a1.dep.state.pa.us.

*Chesapeake Bay Advisory Committee to the State Conservation Commission*

The Chesapeake Bay Advisory Committee to the State Conservation Commission meetings will be held at 9 a.m. in Room 105 of the Rachel Carson State Office Building, unless otherwise noted, on the following dates:

March 11, 1999 (14th Floor Conference Room, Rachel Carson State Office Building)  
June 3, 1999  
September 2, 1999  
December 2, 1999

Contact: Dean Auchenbach, Bureau of Water Quality Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5668 or e-mail Auchenbach.Dean@a1.dep.state.pa.us.

*Citizens Advisory Council*

The Citizens Advisory Council meetings will be held in Room 105 of the Rachel Carson State Office Building unless otherwise noted. The meetings typically begin at 10 a.m.

January 11, 1999 (2nd Floor Training Room)  
February 8, 1999  
March 15, 1999  
April 19, 1999  
May 17, 1999  
June 14, 1999  
July 19, 1999  
September 20, 1999  
October 18, 1999  
November 15, 1999

Contact: Stephanie Mioff, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 787-4527 or e-mail Mioff.Stephanie@a1.dep.state.pa.us

*Cleanup Standards Scientific Advisory Board*

The Cleanup Standards Scientific Advisory Board (CSSAB) meetings will be held in the 14th Floor Conference Room of the Rachel Carson State Office Building at 9:30 a.m. on the following dates:

February 25, 1999  
May 20, 1999  
August 26, 1999  
December 2, 1999

Contact: Marilyn Wooding, Bureau of Land Recycling and Waste Management, (717) 783-7509, or e-mail

Wooding.Marilyn@a1.dep.state.pa.us or Thomas Fidler at the same number or through e-mail Fidler.Thomas@a1.dep.state.pa.us.

*Coastal Zone Advisory Committee*

Notice is hereby given of a meeting of the Coastal Zone Advisory Committee on January 27, 1999 to review and approve 1999 state agency projects for the Coastal Zone Program and to provide participation in the review of coastal zone related programs in Pennsylvania. The meeting will begin at 10 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building.

Contact: Robert S. Edwards, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5259 or e-mail Edwards.Robert@a1.dep.state.pa.us.

*Drinking Water Work Group*

The Drinking Water Work Group meeting will be held on January 20, 1999 at 9:30 a.m. The tentative location of this meeting is the Pennsylvania Authorities Association Headquarters, Suite 401, 4th Floor, 1000 N. Front Street, Wormleysburg, Pa.

Contact: Barry Greenawald, Bureau of Water Supply Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-0127 or e-mail Greenawald.Barry@a1.dep.state.pa.us.

*Environmental Quality Board*

Environmental Quality Board meetings for 1999 are scheduled for 10 a.m. the third Tuesday of each month, except as noted, in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg. Meetings will only be held when there is a sufficient number of agenda items for consideration. Note that the January meeting is cancelled due to Inauguration Day.

The meeting dates are as follows:

January 19 (cancelled)	July 20
February 16	August 17
March 16	September 21
April 20	October 19
*May 19	November 16
June 15	December 21

\* Please note that the May meeting is scheduled for Wednesday due to Primary Election Day.

Contact: Sharon Freeman, Regulatory Coordinator, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, e-mail Freeman.Sharon@dep.state.pa.us.

*Low-Level Waste Advisory Committee*

The Low-Level Waste Advisory Committee (LLWAC) meeting for 1999 will be held on September 17, 1999, at 9 a.m. in Room 105 of the Rachel Carson State Office Building. The purpose of the meeting is to review and discuss progress on the suspension of the Low-Level Radioactive Waste Siting Process and project shutdown activities.

Contact: Rich Janati, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-2163 or e-mail Janati.Rich@a1.dep.state.pa.us.

*Mine Subsidence Insurance Board*

The Mine Subsidence Insurance (MSI) Board will hold one regular meeting within the first two weeks of October 1999. Specific information concerning this meeting will be announced in September.

Contact: Larry Ruane, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 783-9586 or e-mail Ruane.Lawrence@a1.dep.state.pa.us.

*Mining and Reclamation Advisory Board*

Meetings of the Mining and Reclamation Advisory Board (MRAB) will be held at 10 a.m. in the Rachel Carson State Office Building, unless otherwise noted, on the following dates:

January 14, 1999 10th Fl. Conference Room, RCSOB, 10 a.m.—2 p.m.  
 April 22, 1999 Delaware Room, 16th Fl., RCSOB, 10 a.m.—2 p.m.  
 July 1, 1999 Fieldtrip: Location and time not yet determined.  
 October 28, 1999 Delaware Room, 16th Fl., RCSOB, 10 a.m.—2 p.m.

Contact Person: Natalie N. Shepherd, Office of Mineral Resources Management, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-5338 or e-mail Shepherd.Natalie@a1.dep.state.pa.us.

*Non-Point Source Liaison Workgroup*

The Non-Point Source Liaison Workgroup meetings will be held at 10 a.m. in Room 105 of the Rachel Carson State Office Building on the following dates:

May 5, 1999  
 October 28, 1999

Contact: Fran Koch, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, at (717) 787-4806 or e-mail Koch.Frances@a1.dep.state.pa.us

*Oil and Gas Technical Advisory Board*

The Oil and Gas Technical Advisory Board has scheduled one meeting on July 20, 1999, at 10 a.m. in the 5th Floor Conference Room of the Rachel Carson State Office Building.

Contact: James Erb, Director, Bureau of Oil and Gas Management, P. O. Box 8765, Harrisburg, PA 17105-8765, (717) 772-2199 or e-mail Erb.James@a1.dep.state.pa.us.

*Radiation Protection Advisory Committee*

The Radiation Protection Advisory Committee meeting will be held on March 18, 1999, at 9 a.m. in Room 105 of the Rachel Carson State Office Building.

Contact: Stuart Levin, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-3720 or e-mail Levin.Stuart@a1.dep.state.pa.us.

*Recycling Fund Advisory Committee*

The Recycling Fund Advisory Committee meeting will be held on July 8, 1999, at 10 a.m. in Room 105 of the Rachel Carson State Office Building.

Contact: Diana Welker, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA, 17105-8472, (717) 787-7382 or e-mail Welker.Diana@dep.state.pa.us.

*Sewage Advisory Committee*

The Pennsylvania Sewage Advisory Committee meetings will be held at 10:30 a.m. in Room 105 of the Rachel Carson State Office Building on the following dates:

March 10, 1999  
 November 10, 1999

This committee has four subcommittees: Regulations, Alternate Technology Review, Base Planning, and Sewage Enforcement Officer Continuing Education. The subcom-

mittees act as workgroups, and each considers details of regulatory subjects on which the Committee needs, or is required by law, to give advice to the Department.

Subcommittee meetings of the Committee are held at the call of the subcommittee chairpersons, when needed. Prior notice of these meetings is given, as needed, conforming to the requirements of the Sunshine Act.

Contact: John McHale, Bureau of Water Quality Protection, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-2290 or e-mail McHale.John@a1.dep.state.pa.us.

*Small Business Assistance Program Compliance Advisory Committee*

The Small Business Compliance Advisory Committee meetings will be held at 10:30 a.m. in the 14th Floor Conference Room of the Rachel Carson State Office Building on the following dates:

January 27, 1999  
 April 28, 1999  
 July 28, 1999  
 October 27, 1999

Contact: Scott Kepner, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-1663 or e-mail Kepner.Scott@a1.dep.state.pa.us.

*Solid Waste Advisory Committee*

The Solid Waste Advisory Committee meetings will be held at 10 a.m. in Room 105 of the Rachel Carson State Office Building, unless otherwise noted, on the following dates:

January 14, 1999  
 March 11, 1999  
 May 13, 1999  
 September 9-10, 1999 (King's Gap Environmental Education Center, Carlisle, PA)  
 November 4, 1999

Contact: Rose Prough or Gayle Leader, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA, 17105-8471, (717) 787-9871 or e-mail Leader.Gayle@dep.state.pa.us.

*State Conservation Commission*

The State Conservation Commission meetings will be held on the following dates and locations:

January 7, 1999 1 p.m. Room 304, Agriculture Building, 2301 N. Cameron Street, Harrisburg  
 March 17, 1999 1 p.m. Holiday Inn, Grantville  
 May 20, 1999 1 p.m. Toftrees, State College  
 July 28, 1999 (time and location to be announced)  
 November 8, 1999 (time and location to be announced)

Contact: Karl Brown, State Conservation Commission, Room 407, Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-8821.

*Storage Tank Advisory Committee*

The Storage Tank Advisory Committee (STAC) meetings will be held in the 10th Floor Conference Room of the Rachel Carson State Office Building on the following dates. All meetings are expected to begin at 10 a.m. However, dates, times and locations are subject to change and should be confirmed prior to each meeting.

February 2, 1999  
 June 1, 1999  
 October 5, 1999

Contact: C. Kay Hawk, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, (800) 42-TANKS (toll-free within Pennsylvania) or (717) 772-5599 or e-mail Hawk.Kay@a1.dep.state.pa.us.

*Technical Advisory Committee on Diesel-Powered Equipment*

The Technical Advisory Committee on Diesel-Powered Equipment (TAC) meetings will be held at 10 a.m. in the Fayette County Health Center in Uniontown on the following dates:

January 22, 1999  
April 21, 1999  
July 21, 1999  
October 20, 1999

Contact: Allison Trader, Bureau of Deep Mine Safety, Fayette County Health Center, Room 167, 100 New Salem Road, Uniontown, PA 15401, (724) 439-7469 or e-mail Trader.Allison@a1.dep.state.pa.us.

*Technical Assistance Center for Small Water Systems*

The Technical Assistance Center for Small Water Systems announces its schedule of 1999 meetings. The meetings will be held at 9:30 a.m. in the Rachel Carson State Office Building as listed below:

January 22	10th Floor Conference Room
May 11	Room 105, 1st Floor
August 10	Room 105, 1st Floor
November 9	Room 105, 1st Floor

Contact: Donna Green, Bureau of Water Supply Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-0122 or e-mail Green.Donna@a1.dep.state.pa.us

*Volunteer Environmental Monitoring Panel*

The Volunteer Environmental Monitoring Panel meetings will be held at 11 a.m. in the 14th Floor Conference Room of the Rachel Carson State Office Building on the following dates:

April 30, 1999  
November 19, 1999

Contact: Diane Wilson, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-3730 or e-mail Wilson.Diane@a1.dep.state.pa.us.

*Wastewater Work Group*

The Wastewater Work Group meeting will be held on February 9, 1999, at 9:30 a.m. in the 14th Floor Conference Room of the Rachel Carson State Office Building.

Contact: Barry Greenawald, Bureau of Water Supply Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-0127 or e-mail Greenawald.Barry@a1.dep.state.pa.us.

*Water Resources Advisory Committee*

The Water Resources Advisory Committee will meet at 10 a.m. in the Rachel Carson State Office Building on the following dates:

January 13, 1999	16th Floor, Delaware Room
March 10, 1999	16th Floor, Delaware Room
March 17, 1999	Room 105
May 12, 1999	10th Floor Conference Room
July 14, 1999	Room 105
September 8, 1999	16th Floor, Delaware Room
November 10, 1999	10th Floor, Conference Room

Contact: Carol Young, Office of Water Management, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4686 or e-mail Young.Carol@a1.dep.state.pa.us.

*Wetlands Protection Advisory Committee*

The Wetlands Protection Advisory Committee (WETPAC) meetings will be held at 10 a.m. in Room 105 of the Rachel Carson State Office Building on the following dates:

January 5, 1999  
March 2, 1999  
May 4, 1999  
July 6, 1999  
September 7, 1999  
November 3, 1999

Contact: Kelly Heffner, Bureau of Water Quality Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 787-6827 or e-mail Heffner.Kelly@a1.dep.state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the individual listed for each board/committee or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-2119. Filed for public inspection December 24, 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 "July 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. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

*Changes to Technical Guidance Documents*

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

*Final Technical Guidance*

DEP ID 393-4180-003 Title: Strategy for Addressing the 1998 Federal and State Deadline for Upgrading Existing

**Underground Storage Tanks Description:** This document provides guidance on how the Department plans to bring underground storage tanks into compliance with the December 22, 1998 deadline. Effective Date: November 24, 1998 Contact: Glenn H. Rider at (717) 772-5551.

DEP ID 383-2125-208 Title: Public Water Supply Manual—Part II Description: This guidance document applies to all community water systems with regard to permitting and design standards. Effective Date: November 28, 1998 Contact: Trudy Troutman at (717) 783-3795.

DEP ID 012-5500-002 Title: Environmental Education Grants Elective Program Description: The purpose of this guidance is to provide occasional Environmental Education Grants to sound environmental education proposals unable to be effective on the competitive grant time line or in the competitive grant process. Effective Date: January 1, 1999 Contact: Heidi Haertsch at (717) 705-3767.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-2120. Filed for public inspection December 24, 1998, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of the Children's Institute of Pittsburgh for Exception to 28 Pa. Code § 107.2

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that The Children's Institute of Pittsburgh has requested an exception to the requirements of 28 Pa. Code § 107.2, so that it be permitted to allow podiatrists to be members of the medical staff.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, E-Mail Address: LVIA@HEALTH.STATE.PA.US.

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

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

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

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-2121. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Application of Pennsylvania Rehabilitation Group, Inc., for Exception to 28 Pa. Code § 153.1(b)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Pennsylvania Rehabilitation Group, Inc. has requested an exception to the requirements of 28 Pa. Code § 153.1 (b), referencing the "Guidelines for Design and Construction of Hospital and Health Care Facilities," 1996-1997 Edition, for the Tower Building of Mt. Sinai Hospital, 4th and Reed Street, Philadelphia, PA.

The above petitioner is proposing to utilize portions of Mt. Sinai for a rehabilitation facility, and has requested several exceptions to Chapter 10 of the "Guidelines," as follows:

- Section 10.2 C—The petitioner proposes to perform evaluations of rehabilitation patients within the examination room(s), rather than having separate evaluation rooms or areas. The "Guidelines" indicates that "where the facility is small and workload light, evaluation may be done in the examination room(s)."

- Section 10.15.A2—The petitioner is requesting a waiver for the minimum patient room sizes for multi-bed (semi-private) rooms, which are approximately 226 square feet in area, or 113 square feet per bed as opposed to the 125 square feet per bed minimum specified in the "Guidelines." The rooms are existing and modification of the rooms and plumbing stacks for each room would be prohibitive.

- Section 10.15.A2—The petitioner is requesting a waiver for the clearances required at the foot of the bed, 3 feet 8 inches minimum, in multi-bed patient rooms. This clearance is required to permit the passage of equipment and beds. The petitioner indicates that the present room configuration complies with this requirement, however another section of the "Guidelines," (Section 10.15.A7), requires a wardrobe, closet, or locker for each patient which is at least 1 foot 10 inches by 1 foot 8 inches in clear dimensions. The existing wardrobe units do not meet this size requirement, and would be removed and replaced with new units. The new wardrobe units would restrict the access entry into the patient rooms, requiring relocation to a new location at the foot of the beds. This location leaves a clear width of approximately 3 feet 6 inches at the foot of the bed where the proposed wardrobe would be installed.

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

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

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

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

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-2122. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Drug, Device and Cosmetic Board Meeting

A meeting of the Department of Health's Drug, Device and Cosmetic Board has been scheduled for January 6, 1999. The Board meeting will be held from 10 a.m. to 2 p.m. in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. The purpose of the meeting is for the Board to review a petition presented by the Attorney General of Pennsylvania requesting that the drug Gamma Hydroxybutyrate (GHB) be scheduled as a Schedule I controlled substance in the Controlled Substance Drug, Device and Cosmetic Act and regulations. A Schedule I controlled substance is a drug with a high potential for abuse with no currently accepted medical use in the United States and a lack of accepted safety for use under medical supervision.

For additional information, or for persons with a disability who desire to attend the meeting and require an auxiliary aide service, or other accommodation to do so, contact John Hair, Director, Bureau of Community Program Licensure and Certification at (717) 783-8665.

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

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-2123. Filed for public inspection December 24, 1998, 9:00 a.m.]

### State Licensure of Hospice

The Department of Health (Department) is currently accepting applications for licensure as a hospice under the passage of Senate Bill 996, signed into law as Act 95 of 1998, which amends the definition of "health care facility" in section 802.1 of the act of July 19, 1979 (P. L. 130, No. 48), known as the Health Care Facilities Act (Act). As a result of Act 95, hospice is now also included within the definition of a "health care facility" for licensure purposes. The amendment to the Health Care Facilities Act requiring the licensure of hospice takes effect on January 14, 1999.

Section 802.1 of the Act defines "hospice" as:

An organization licensed under this Act to provide a coordinated program of palliative and supportive services provided in a home, independent living environment or inpatient setting which provides for physical, psychological, social and spiritual care of dying persons and their families. Services are provided by a medically directed

interdisciplinary team of professionals and volunteers and bereavement care is available to the family following the death of the patient. The term shall also be deemed to refer to services provided by such an organization.

Section 806(a) of the Act requires that no person shall maintain or operate or hold itself out to be a health care facility without first having obtained a license issued by the Department. However, section 806(g)(3) of the Act provides that:

Notwithstanding any provision to the contrary, any organization which provides or coordinates the provision of volunteer services for Medicare-certified hospice providers in the hospice delivery systems of its community and which:

(i) used "hospice" in its name prior to January 1, 1990;

(ii) qualified for exemption from Federal income taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C.A. § 1 et seq.) prior to the effective date of the subsection; and

(iii) registered with the Department of State pursuant to the act of December 19, 1990 (P. L. 1200, No. 202), known as the "Solicitation of Funds for Charitable Purposes Act," prior to the effective date of this subsection; may continue to use its name as heretofore.

#### *Interim Guidelines*

Under section 3 of Act 95, which amends section 806(g)(2) of the Act, to require the Department to operate the hospice program under interim guidelines as set forth in that paragraph until the Department adopts its own regulations, the Medicare Conditions of Participation, Title XVIII of the Social Security Act, 42 CFR 418 et seq., will be used to regulate hospice organizations until the Department's "hospice" regulations are published as final. The Medicare regulations are accessible by visiting the Department's web site at [www.health.state.pa.us](http://www.health.state.pa.us).

#### *Guidelines for Implementation Period*

##### *Medicare Certified Hospices*

Organizations currently certified under Medicare as a "hospice" will be mailed licensure instructions to the address listed in the Medicare certification. Until the Department provides for a fee by regulation, upon receipt of an application and a \$250 fee, all Medicare certified hospices will be sent a license for a 1 year period effective on the date the license is mailed to the hospice provider.

Prior to expiration of the licenses and by April 2000, half of the hospices will be surveyed onsite and half will be surveyed offsite by written survey. The Department's criteria for determining organizations to be surveyed onsite will be the length of time since the last onsite Medicare certification survey. The surveys will begin in April 1999.

##### *Non-Medicare Certified Hospices*

All organizations that are not Medicare certified and apply for licensure will be surveyed onsite. Successful survey results will be the basis for the issuance of the license to non-Medicare certified hospice providers.

If an organization falls under the definition of "hospice" in the Act and the organization is not currently Medicare certified, request an application for licensure at the following address:

Pennsylvania Department of Health  
Division of Home Health Care  
132 Kline Plaza, Suite A  
Harrisburg, PA 17104

or visit the Department's web site, [www.health.state.pa.us](http://www.health.state.pa.us), to download a copy of the application.

Hospice organizations shall submit their licensure application to the Department by March 31, 1999, or inform the Division of Home Health of any delay or inability to apply by that date.

Questions regarding the Department's licensure of hospices should be directed to the PA Department of Health's Division of Home Health at (717) 783-1380. Alternatively, questions may be submitted to the Department at [www.health.state.pa.us](http://www.health.state.pa.us). Persons with a disability may also submit questions to the program at 132 Kline Plaza, Suite A, Harrisburg, PA 17104 in alternative formats, such as by audiotape, braille or using V/TT: (717) 783-6514 or Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-2124. Filed for public inspection December 24, 1998, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Public Notice of the Department's Intent to Make a Disproportionate Share Payment to Certain Qualifying Hospitals

The purpose of this notice is to provide prior public notice of the Department of Public Welfare's (Department's) intent to establish an additional class of disproportionate share payments for certain qualifying hospitals. This change is effective January 15, 1999 through June 30, 1999.

The Department intends to make this payment, in addition to the classes of payment already made under the Medical Assistance (MA) Program, to certain hospitals which the Department has determined provide a high volume of services related to MA births.

The Department intends to consider a hospital eligible if:

- (a) The hospital is enrolled as an acute care general hospital (provider type 11); and
- (b) The hospital is located in a Federal Empowerment Zone; and
- (c) In Calendar Year 1996, the hospital had more than 3,500 fee-for-service MA claims; and
- (d) In Calendar Year 1996, more than 25% of the hospital's overall fee-for-service MA claims were related to MA births (specifically, DRGs 370 through 375 and 385 through 391).

The Department intends to allocate \$3.5 million from the State General Fund for this additional disproportionate share payment. Payments will be divided proportionally between qualifying hospitals based on the percentage of each qualifying hospital's fee-for-service MA births to total fee-for-service MA births of all qualifying facilities. All payment limitations are still applicable, namely, the Commonwealth may not exceed its aggregate annual disproportionate share allotment, and no hospital may receive disproportionate share payments in excess of its hospital-specific limit.

### *Fiscal Impact*

For Fiscal Year 1998-99, the fiscal impact as a result of the disproportionate share payment will be \$7.6 million in total funds (\$3.5 million in State General funds and \$4.1 million in Federal funds).

### *Contact Person*

A copy of this notice is available for review at local County Assistance Offices.

Interested persons are invited to submit written comments to this notice within 15 days of this publication. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120.

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

FEATHER O. HOUSTON,  
*Secretary*

**Fiscal Note:** 14-NOT-188. (1) General Fund; (2) Implementing Year 1998-99 is \$3.5 million; (3) 1st Succeeding Year 1999-00 is \$0 million; 2nd Succeeding Year 2000-01 is \$0 million; 3rd Succeeding Year 2001-02 is \$0 million; 4th Succeeding Year 2002-03 is \$0 million; 5th Succeeding Year 2003-04 is \$0 million; (4) FY 1997-98 \$428 million; FY 1996-97 \$436 million; FY 1995-96 \$452 million; (7) Medical Assistance-Inpatient; (8) recommends adoption. This is a one-time increase in payments. Funds are included in the 1998-99 budget for this purpose.

[Pa.B. Doc. No. 98-2125. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Public Notice of the Department's Intent to Revise Community Access Disproportionate Share Payments

The purpose of this announcement is to provide prior public notice of changes to the Department of Public Welfare's (Department's) previously established additional class of disproportionate share payments. This announcement provides notice of an additional qualifying method for disproportionate share payments. These changes are effective January 15, 1999.

Under State Plan Amendment (SPA) 97-01 which was subsequently amended by SPA 98-03, the Department established a new class of disproportionate share payments known as Community Access payments, in addition to the classes of payment already provided under the Medical Assistance Program. Community Access payments are made to those hospitals which render uncompensated care and which the Department has determined are experiencing significant revenue loss as a result of Medical Assistance Program revisions under Act No. 1996-35.

The Department intends to consider a hospital eligible for these payments if:

- based on the Department's determination of GA/MNO discontinued eligibility, the hospital's annual net patient revenue loss exceeds \$3.2 million and

the hospital received less than \$1.8 million in annual direct medical education payments in Fiscal Year 1996-97; or

- based on the Department's determination of GA/MNO discontinued eligibility, the hospital's annual net patient revenue loss exceeds \$3.2 million, the hospital received annual direct medical education payments of over \$1.8 million in Fiscal Year 1996-97 and the hospital's loss of total annual Medical Assistance revenue is less than 15%; or
- based on the Department's determination of GA/MNO discontinued eligibility, the hospital's annual net patient revenue loss exceeds \$2.5 million with a percentage loss of net patient revenue exceeding 6%; or
- the hospital was eligible for disproportionate share as a rural hospital as defined under the Department's disproportionate share payment policy in calendar year 1997.

The Department will allocate \$11 million from the State General Fund for this component of Community Access. The payments will be made to qualifying hospitals based on their percentage of discontinued revenue to the total discontinued revenue of all qualifying hospitals. All payment limitations are still applicable, namely, the Commonwealth may not exceed its aggregate annual disproportionate share allotment, and no hospital may receive disproportionate share payments in excess of its hospital-specific limit.

#### *Charity Care Component*

In addition to the above qualifying method, the Department will consider a hospital eligible to receive payment under the Charity Care component of Community Access if:

- the hospital is enrolled in the Medical Assistance Program as an acute care general hospital; and
- the hospital's inpatient charity care cost exceeds \$698,501, the Fiscal Year 1995-96 Statewide average inpatient charity care cost. The charity care cost is derived from the Fiscal Year 1995-96 *Financial Report for Hospital and Hospital-Health Care Complex Under the Medical Assistance Program* (MA 336), as submitted by the hospitals and reviewed by the Department.

The Department will allocate \$6.5 million from the State General Fund for the Charity Care component. Payment will be made to qualifying hospitals based on each hospital's percentage of charity care cost to the total charity care costs of all qualifying hospitals. Payment is determined by multiplying the hospital-specific percentage by the total funds available under the charity care component, with a maximum payment per hospital of \$750,000. These payments will not cause the Commonwealth to exceed its aggregate annual disproportionate share allotment and again, no hospital may receive disproportionate share payments in excess of its hospital-specific limit.

#### *Fiscal Impact*

For Fiscal Year 1998-99, the fiscal impact as a result of the Community Access Fund will be \$37.8 million in total funds (\$17.5 million in State General funds and \$20.3 million in Federal funds).

#### *Contact Person*

A copy of this notice is available for review at local County Assistance Offices. Interested persons are invited to submit written comments to this notice within 15 days of this publication. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120.

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

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-187. (1) General Fund; (2) Implementing Year 1998-99 is \$17.5 million; (3) 1st Succeeding Year 1999-00 is \$0 million; 2nd Succeeding Year 2000-01 is \$0 million; 3rd Succeeding Year 2001-02 is \$0 million; 4th Succeeding Year 2002-03 is \$0 million; 5th Succeeding Year 2003-04 is \$0 million; (4) FY 1997-98 \$428 million; FY 1996-97 \$436 million; FY 1995-96 \$452 million; (7) Medical Assistance-Inpatient; (8) recommends adoption. Funds are included in the 1998-99 budget for this purpose.

[Pa.B. Doc. No. 98-2126. Filed for public inspection December 24, 1998, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Interest Rate

Under section 806 of the act of April 9, 1929 (P. L. 343, No. 176), known as the Fiscal Code, the Secretary of Revenue announces that, for the year commencing January 1, 1998, all unpaid taxes which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 7% per annum. This rate will remain constant until December 31, 1999. Under the provisions of section 6621(a)(2) of the Internal Revenue Code, this rate has been established by the Secretary of the Treasury of the United States, to be effective January 1, 1999. This rate will be codified under 61 Pa. Code § 4.2(a) (relating to rate of interest).

Although the Tax Reform Act of 1986 amended Internal Revenue Code section 6621, by requiring that the Secretary of the Treasury of the United States establish quarterly rates of interest to become effective for Federal purposes on the first month of each calendar quarter, these amendments do not affect Pennsylvania law. The Fiscal Code, as herein cited, requires that the interest rate be established effective January 1 of each calendar year without regard to any change in the Federal interest rate during the calendar year.

ROBERT A. JUDGE, SR.,  
*Secretary*

[Pa.B. Doc. No. 98-2127. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Pennsylvania Cash & Cruises Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Cash & Cruises.

2. *Price:* The price of a Pennsylvania Cash & Cruises instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Cash & Cruises instant lottery game ticket will contain one play area featuring one "Lucky Numbers" area and one "Your Numbers" area. The play symbols and their captions located in the "Lucky Numbers" area and "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EGT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVTN), 18 (EGTN), 19 (NINTN) and 20 (TWTY).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$500 (FIV HUN), \$20,000 (TWY THO) and a Ship Symbol (CRUISE).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$500, \$20,000 and a 7-Day Caribbean Cruise. The player can win up to ten times on a ticket.

6. *Second Chance Drawing:* The Pennsylvania Lottery will conduct a Second Chance drawing for non-winning Pennsylvania Cash & Cruises instant lottery tickets as provided in section 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 4,200,000 tickets will be printed for the Pennsylvania Cash & Cruises instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of \$20,000 (TWY THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of a Ship Symbol (CRUISE) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a 7-Day Caribbean Cruise.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of \$500 (FIV HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

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

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of \$40\$ (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols, and a prize play symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

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

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

<i>Match Any Of Your Numbers To Either Lucky Number With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,200,000 Tickets</i>
\$2	\$2	1:6.82	616,000
\$2 x 2	\$4	1:25	168,000
\$4	\$4	1:50	84,000
\$5	\$5	1:150	28,000
\$2 x 5	\$10	1:150	28,000
\$4 x 2 + \$2	\$10	1:250	16,800
\$5 x 2	\$10	1:150	28,000

*Match Any Of Your  
Numbers To Either Lucky  
Number With Prize(s) Of:*

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,200,000 Tickets</i>
\$10	\$10	1:375	11,200
\$2 x 10	\$20	1:375	11,200
\$5 x 2 + \$10	\$20	1:187.50	22,400
\$4 x 5	\$20	1:750	5,600
\$20	\$20	1:750	5,600
\$4 x 10	\$40	1:6,000	700
\$5 x 8	\$40	1:6,000	700
\$10 x 2 + \$20	\$40	1:6,000	700
\$5 x 2 + \$10 x 3	\$40	1:6,000	700
\$40	\$40	1:6,000	700
\$20 x 5	\$100	1:20,000	210
\$10 x 10	\$100	1:20,000	210
\$100	\$100	1:20,000	210
\$20 x 10	\$200	1:30,000	140
\$500	\$500	1:120,000	35
Ship Symbol	Cruise*	1:14,000	300
\$20,000	\$20,000	1:840,000	5

\*The 7-Day Caribbean Cruise package is valued at \$2,881 plus \$400 cash (on-board credit) for a total of \$3,281. No cash equivalent for the cruise prize.

#### 10. *Second Chance Drawing Eligibility Requirements:*

(a) To be eligible for the Second Chance drawing, a player must mail exactly three non-winning Pennsylvania Cash & Cruises instant lottery tickets in a pre-addressed envelope available at participating retailers or in an envelope no larger than 4 1/8" x 9 1/2" addressed to Pennsylvania Lottery, Cash & Cruises Second Chance Drawing, P. O. Box 999, Middletown, PA 17057-0999.

(b) Envelopes containing less than or more than three non-winning Pennsylvania Cash & Cruises instant lottery tickets shall be disqualified.

(c) Non-winning Pennsylvania Cash & Cruises instant lottery tickets received in an envelope larger than 4 1/8" x 9 1/2" shall be disqualified.

(d) The back of each non-winning Pennsylvania Cash & Cruises instant lottery ticket entered in the Second Chance drawing must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code and signature. Incomplete tickets shall be disqualified.

(e) Winning lottery tickets submitted for entry in a Cash & Cruises Second Chance Drawing envelope or to the Cash & Cruises Second Chance Drawing address will not be paid or honored. Winning lottery tickets shall be submitted for payment in accordance with the game regulations for that game.

(f) Non-winning Pennsylvania Cash & Cruises instant lottery tickets must be received by Lottery Headquarters no later than Friday, April 2, 1999 to be included in the final Second Chance drawing to be held on Saturday, April 10, 1999.

#### 11. *Second Chance Drawing Procedures:*

##### (a) *Frequency.*

(1) Second Chance Drawings will be held each Saturday, beginning January 23, 1999 through April 10, 1999.

(2) From the commencement of Pennsylvania Cash & Cruises until the deadline announced by the Director, there will be eight qualifying finalists selected for each Second Chance Drawing. Qualifying finalists will be selected in Qualifying Drawings on dates to be determined by the Secretary and announced by the Director.

(b) *Eligibility for Qualifying Drawings.* To be eligible for a Qualifying Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each Second Chance entry is entered into one of the Qualifying Drawings. The Lottery assumes no responsibility for a lost or misplaced entry not entered into a Qualifying Drawing.

(2) A Second Chance entry is eligible for only one Qualifying Drawing. An entry that is not in one eligible group, may, at the discretion of the Director, remain eligible for a subsequent Qualifying Drawing.

(3) If a Second Chance entry is rejected during or following a Qualifying Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

##### (c) *Manner of conducting Qualifying Drawings.*

(1) Periodically, as determined by the Secretary and announced by the Director, a Qualifying Drawing will be held using eligible Second Chance entries. Eight finalists will be selected from an eligible group of entries in the drawing. For the purpose of the drawing, each of the eligible groups of entries will be further subdivided into subgroups and placed in containers, with each container assigned a code depending on the number of containers used.

(2) With the aid of mechanical or automatic drawing equipment, eight container codes will be selected. The codes will determine the containers from which the eight finalists' entries will be ultimately selected. One winning finalist entry will be drawn from the first container selected. The finalist entry envelope will be opened, and its contents validated according to the requirements of section 10. If the finalist entry does not meet the requirements of section 10, another entry will be selected from that container; and so on, until a qualified entry has been chosen. One winning entry will then be selected from the second selected container and this procedure will be repeated until eight finalists have been selected for each Second Chance Drawing.

(d) *Procedure for conducting Second Chance Drawings.*

(1) Following the selection of the eight finalists as described in subsection (c), there will be Second Chance Drawings held as provided for in subsection (a).

(2) At a Second Chance Drawing, a rectangular semi-vertical device that contains several rows of pegs will be utilized. At the bottom of the device, below the pegs, are eight individual slots. The name of each of the eight Qualifying Finalists will be identified with one of the eight slots. On one side of the device is a launching mechanism consisting of a spring-loaded piston that is released when the drawing official pulls a lever. This action propels a ping-pong ball upward to the top of the device. At this point the ball drops a few inches to a funneled position created by two flippers in constant motion. This randomly directs the ball to a point along the top row of pegs. As the ball drops, it randomly bounces on and through the pegs until it lands in one of eight slots at the bottom. The name identified with the slot in which the ball ultimately drops is the winner of a free 7-Day Caribbean cruise for two.

(3) The remaining seven Qualifying Finalists will each receive a consolation prize of \$1,000 each.

(e) The payment of the prize awarded in the Second Chance drawing to a person who dies before receiving the prize or to a person 17 years of age or younger shall be paid according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of a prize winner; and payment of prizes to persons under 18 years of age).

(f) The determination of a winner will be made by the Secretary, whose judgment will be final, conclusive and binding on the finalists.

(g) Winners of the 7-Day Caribbean cruises will be responsible for any income tax due to the Federal government.

12. *Cruise Information and Restrictions:*

(a) The cruise packages are 7-Day Caribbean cruises on Carnival Cruise Lines ships for two people and include the following:

(1) A choice among three "Fun Ships:" the Imagination (through May, 1999), Paradise (smoke free) departing from the port of Miami and Celebration departing from Tampa.

(2) Ocean-view stateroom in Category 6.

(3) Round-trip air transportation from Pittsburgh, Philadelphia or Harrisburg, Pennsylvania.

(4) Round-trip ground transfers between the airport and port of debarkation.

(5) Port charges, including government fees, taxes and gratuities.

(6) A \$400 on-board credit.

(b) Cruise restrictions:

(1) Reservations must be made with Carnival Cruise Lines at least 30 days prior to planned departure.

(2) Cruise packages may be transferred one time; however, they are nonrefundable and not extendible. Carnival Cruise Lines will need a certified authorization from the winner of transfer and the transfer must be made prior to reservation.

(3) Cruise packages are valid only on the scheduled Carnival Cruises offered and set forth in subsection (a)(1).

(4) Winners will have until December 15, 2000, to take their cruise.

(5) Winners may purchase upgrades to longer cruises or land packages.

(6) Winners cannot schedule their cruises for sailing during Christmas, New Year, Thanksgiving, Easter or Washington's Birthday holiday periods. Winners may purchase upgrades to cruises during these periods.

(7) Cruise packages may not be redeemed for cash.

(8) After a reservation is confirmed, winners may cancel and change sailing dates if the cancellation occurs up to 15 days prior to departure. A \$25 per person service fee will be assessed for this cancellation and re-booking. If a cancellation occurs within 15 days of departure, Carnival Cruise Lines will provide the winners with a comparable future cruise on a space available basis. At its sole discretion, Carnival Cruise Lines will confirm the future cruise approximately 2 weeks prior to departure based on cabin availability.

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

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

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

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

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 98-2128. Filed for public inspection December 24, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Administrative Docket Filing Fee Schedule

The Department of Transportation, Office of Chief Counsel, by this notice, hereby establishes, consistent with the provisions of 67 Pa. Code § 491.5 (relating to filing fees), the Administrative Docket Filing Fee Schedule for use in calendar year 1999, or until the next annual list is published.

The Administrative Docket Filing Fee Schedule prescribes the filing fee, not otherwise provided by statute or regulation, for all requests for a hearing in appeal of Department action under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

Under 67 Pa. Code § 491.5, the Department has reviewed the schedule of filing fees and has determined that amendment of the existing fees is not necessary at this time. The Department will continue to review and revise this schedule of filing fees as necessitated by the increasing costs of adjudication.

Comments, questions or suggestions concerning appeals from the Department's denial or recall of Occupational Limited Licenses; appeals from the Department's cancellation, denial or recall of probationary licenses, or requests for record reviews under Section 1516 of the Motor Vehicle Code; and hearings to request credit toward serving driving privilege or vehicle registration suspensions shall be directed to Terrie L. Prayer, Administrative Docket Clerk, Safety Administration, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104-2516, (717) 705-2492.

Comments, questions or suggestions relating to all other matters subject to administrative hearings shall be directed to Mary L. Sumpman, Administrative Docket Clerk, Office of Chief Counsel, Pennsylvania Department of Transportation, 9th Floor, Forum Place, Harrisburg, PA 17101-1900, (717) 772-8397.

BRADLEY L. MALLORY, Secretary

**Administrative Docket Filing Fee Schedule**

- 1. Basic filing fee. . . . . \$100  
Includes proceedings regarding the following matters:
  - (a) Application for credit toward suspension of operating privilege.
  - (b) Minimum use driveway permits (25 vehicles, or less, per day).
  - (c) Occupational limited license privilege denial.
  - (d) School bus/hazardous walking routes.
  - (e) Probationary license denial.
  - (f) Miscellaneous matters (including Petition to Intervene).
- 2. Level II filing fee . . . . . \$150  
Includes proceedings regarding the following matters:
  - (a) Low volume driveway permits (25 to 750 vehicles per day).
  - (b) Municipal reimbursement matters.
  - (c) Overweight or oversize truck hauling permits.
  - (d) Private airport permits.
- 3. Level III filing fee. . . . . \$250  
Includes proceedings regarding the following matters:
  - (a) Medium volume driveway permits (750 to 1,500 vehicles per day).
  - (b) Highway beautification/outdoor advertising matters.
- 4. Level IV filing fee. . . . . \$500  
Includes proceedings regarding the following matters:

- (a) High volume driveway permits (>1,500 vehicles per day).
- (b) Public airport permits.

[Pa.B. Doc. No. 98-2129. Filed for public inspection December 24, 1998, 9:00 a.m.]

**Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations**

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed timing devices (nonradar), which calculate average speed between any two points.

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

- (1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.
- (2) H.A.W.K. Traffic Safety Radar System (identified on the radar housing as H.A.W.K.). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.
- (3) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.
- (4) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66214.
- (5) Model 100, Decatur RA-GUN (identified on the radar housing as RA-GUN). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.
- (6) Genesis-I. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.
- (7) Genesis Handheld (GHS). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.
- (8) TS-3. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.
- (9) Vindicator, (VH-1), (Identified on the radar housing as Vindicator). Manufactured by MPH Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.
- (10) MPH Model K-15. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

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

(12) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215-3347.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, Pennsylvania 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Pennsylvania 17701.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, Pa. 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, Minnesota 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R.D. 2, Hallstead, Pennsylvania 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Pennsylvania 17701.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania 17404.

Under 75 Pa.C.S. § 3368(c)(1) and § 3368(c)(3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code, Chapter 105, Mechanical, Electrical and Electronic Speed-Timing Devices. The Department issues an approved speed-timing device certificate for the device, as required by Section 105.72. The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy which was issued within sixty (60) days of the citation and an approved speed-timing device certificate issued by the Department of Transportation, Bureau of Motor Vehicles.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (nonradar) which calculates average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(3) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

The Department of Transportation, under 75 Pa.C.S. § 3368(d), has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for radar devices which may only be used by members of the State Police:

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

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, Pa. 18103 (Appointed: 09/19/96, Station R9).

Siemens Westinghouse Technical Services, Inc. a Siemens Company, 1002 McKee Road, Oakdale, Allegheny County, Pa. 15071 (Appointed: 08/25/98, Station R4).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404 (Appointed: 01/14/75, Station R3).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Auto Electric & Speedometer Service, 7019 Beaver Dam Road, Levittown, Bucks County, Pa. 19057 (Appointed: 03/14/74, Station S54).

Auto Technology-Vocational Technical School Laboratory, 540 North Harrison Road, Pleasant Gap, Centre County, Pa. 16823 (Appointed: 02/10/69, Station S22).

Billy, The Speedometer Man, 4800 North Marvine Street, Philadelphia, Philadelphia County, Pa. 19141 (Appointed: 06/20/73, Station S52).

Bob's Speedometer Service, Incorporated, 1920 West Marshall Street, Norristown, Montgomery County, Pa. 19403 (Appointed: 11/15/77, Station S79).

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, Pa. 16501 (Appointed: 03/25/93, Station S39).

Ciulli Motors, Incorporated, 520 Clairton Boulevard, Pittsburgh, Allegheny County, Pa. 15236 (Appointed: 09/13/78, Station S13).

James M. Coulston, Incorporated, 2915 Swede Road, Norristown, Montgomery County, Pa. 19401 (Appointed: 02/11/75, Station S49).

Dave's Service Center, 3617 Nicholas Street, Easton, Northampton County, Pa. 18045 (Appointed: 10/29/76, Station S33).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 11/25/63, Station S19).

Gabe's Speedometer Service, 2635 West Passyunk Avenue, Philadelphia, Philadelphia County, Pa. 19145 (Appointed: 06/03/97, Station S85).

Hoffman Ford Sales, Incorporated, 5200 Jonestown Road, Harrisburg, Dauphin County, Pa. 17112 (Appointed: 06/23/81, Station S5).

Humenicks Auto Electric, 646 East Diamond Avenue, Hazleton, Luzerne County, Pa. 18201 (Appointed: 11/13/67, Station S74).

Izer Garage, 4616 Buchanan Trail East, Zullinger, Franklin County, Pa. 17272 (Appointed: 02/23/53, Station S106).

George's Garage, 868 Providence Road, Scranton, Lackawanna County, Pa. 18508 (Appointed: 04/15/98, Station S8).

K & M Automotive Electric Service, 1004-24th Street, Beaver Falls, Beaver County, Pa. 15010 (Appointed: 11/13/67, Station S23).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, Pa. 15317 (Appointed: 01/03/84, Station S7).

Melody Lakes Tire & Auto Care, Incorporated, 1113 North West End Boulevard, Quakertown, Bucks County, Pa. 18951 (Appointed: 09/15/71, Station S38).

North Boro Speedometer Service, 547 California Avenue, Pittsburgh, Allegheny County, Pa. 15202 (Appointed: 11/02/78, Station S69).

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, Pa. 17601—Also authorized to use mobile units (Appointed: 06/09/97, Station S82).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 06/29/62, Station S67).

Reading Mack Distributors, Incorporated, 4226 Pottsville Pike, Reading, Berks County, Pa. 19605 (Appointed: 05/15/79, Station S48).

Reading Speedometer Service Company, 200-210 Warren Street, Reading, Berks County, Pa. 19601 (Appointed: 09/22/78, Station S47).

S & D Calibration Services, 134 Camp Lane, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 03/22/83, Station S35).

Stewart's Speedometer & Auto Parts, 112 South Third Street, Youngwood, Westmoreland County, Pa. 15601 (Appointed: 03/20/80, Station S58).

Thoman Auto Electric, Incorporated, 227 Valley Street, Lewistown, Mifflin County, Pa. 17044 (Appointed: 10/03/78, Station S104).

Thomas Auto Electric, 109 North 9th Street, Stroudsburg, Monroe County, Pa. 18360 (Appointed: 07/24/89, Station S105).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which measure elapsed time between measured road surface points by using two sensors:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station EL20).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 04/07/93, Station EL3).

Highway Safety Traffic Surveillance, 5131 Springhouse Lane, Bridgeville, Allegheny County, Pa. 15017—Also authorized to use mobile units (Appointed: 05/03/94, Station EL12).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 132 Fawn Valley Drive, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EL11).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, Pa. 18821—Also authorized to use mobile units (Appointed: 03/26/85, Station EL14).

Systems Innovation, Incorporated, Steam Hollow Road, R.D. 2, Hallstead, Susquehanna County, Pa. 18822—Also authorized to use mobile units (Appointed: 12/01/78, Station EL2).

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Thomas Associates R. & E. Incorporated, 65 South Mountain Boulevard, Mountain Top, Luzerne County, Pa. 18707 (Appointed: 11/27/79, Station EL6).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404—Also authorized to use mobile units (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Beerbower Incorporated, 1546 East Pleasant Valley Boulevard, Altoona, Blair County, Pa. 16602 (Appointed: 09/02/77, Station W14).

George L. Cogley, 1222 Liberty Avenue, Natrona Heights, Allegheny County, Pa. 15065 (Appointed: 09/27/77, Station W9).

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station W2).

Department of General Services Metrology, Room B-124, Transportation and Safety Building, Harrisburg, Dauphin County, Pa. 17120 (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 10/28/77, Station W29).

Greene Jewelers, Route 819, Armbrust, Westmoreland County, Pa. 15616 (Appointed: 06/23/78, Station W41).

Highway Safety Traffic Surveillance, 5131 Springhouse Lane, Bridgeville, Allegheny County, Pa. 15017—Also authorized to use mobile units (Appointed: 05/03/94, Station W3).

Hostetter's Jewelers, 2 Hill Street, Shrewsbury, York County, Pa. 17361 (Appointed: 11/18/77, Station W30).

Leitzel's Jewelry, 422 East, Myerstown, Lebanon County, Pa. 17067 (Appointed: 09/01/87, Station W58).

Leitzel's Jewelry Store, 296 Center Street, Millersburg, Dauphin County, Pa. 19061 (Appointed: 07/28/77, Station W7).

Marella's Jewelry, 416 North Springfield Road, Clifton Heights, Delaware County, Pa. 19018 (Appointed: 08/10/79, Station W42).

Mountz Jewelers, 153 North Hanover Street, Carlisle, Cumberland County, Pa. 17013 (Appointed: 09/21/87, Station W59).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, Pa. 19107 (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 09/15/86, Station W56).

Oscar Roth Jewelers, 659 Memorial Highway, Dallas, Luzerne County, Pa. 18612 (Appointed: 09/22/78, Station W47).

S & D Calibration, 132 Fawn Valley Drive, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, Pa. 16630 (Appointed: 05/18/78, Station W40).

Systems Innovation, Incorporated, Steam Hollow Road, R.D. 2, Hallstead, Susquehanna County, Pa. 18822—Also authorized to use mobile units (Appointed: 04/22/91, Station W63).

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station W64).

Wolfs Jewelry, 314 Market Street, Lewisburg, Union County, Pa. 17837 (Appointed: 10/06/77, Station W22).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404—Also authorized to use mobile units (Appointed: 08/30/89, Station W60).

Zimmel Jewelers, 1521 Bethlehem Pike, Flourtown, Montgomery County, Pa. 19031 (Appointed: 04/17/80, Station W35).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which calculate average speed between any two points:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station EM20).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 02/11/93, Station EM23).

Highway Safety Traffic Surveillance, 5131 Springhouse Lane, Bridgeville, Allegheny County, Pa. 15017—Also authorized to use mobile units (Appointed: 05/03/94, Station EM10).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EM22).

S & D Calibration, 132 Fawn Valley Drive, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EM6).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, Pa. 18821—Also authorized to use mobile units (Appointed: 02/27/85, Station EM13).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, Pa. 18822—Also authorized to use mobile units (Appointed: 10/02/80, Station EM2).

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station EM21).

Thomas Associates R. & E. Incorporated, 65 South Mountain Boulevard, Mountaintop, Luzerne County, Pa. 18707 (Appointed: 10/06/80, Station EM3).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404—Also authorized to use mobile units (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Station Processing, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787-2895.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-2130. Filed for public inspection December 24, 1998, 9:00 a.m.]

## Finding Huntingdon 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 the relocation of an approximate 2 mile section of U.S. 22 in the village of Water Street, Huntingdon County. The roadway will be relocated primarily to the south of the existing alignment. The eastern terminus would be approximately 1200 ft east of the existing U.S. 22/PA 453 intersection. A reconfiguration of the existing U.S. 22/PA 453 intersection at approximately the same location as the existing intersection would also be included as part of this improvement. The proposed action will improve safety along this section of roadway and at the U.S. 22/PA453 intersection.

No adverse environmental effect is likely to result from the proposed action.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-2131. Filed for public inspection December 24, 1998, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Valley Creek Coalition v. DEP and Pennsylvania  
Department of Transportation, Permittee; EHB  
Doc. No. 98-228-MG**

Valley Creek Coalition has appealed the issuance by the Department of Environmental Protection of an NPDES permit to PA DOT for a facility in Tredyffrin Township, Chester County.

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

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

GEORGE J. MILLER,  
Chairperson

[Pa.B. Doc. No. 98-2132. Filed for public inspection December 24, 1998, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, December 10, 1998, and took the following actions:

#### *Regulations Approved:*

Insurance Department #11-177: Medicare Supplement Insurance Minimum Standards (amends 31 Pa. Code Chapter 89, Subchapter K and Appendix I).

Pennsylvania State Police #17-59: DNA Detection of Sexual and Violent Offenders Act (amends 37 Pa. Code Chapters 58 and 59).

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
December 10, 1998

*Insurance Department—Medicare Supplement Insurance Minimum Standards; Regulation No. 11-177*

#### Order

On November 10, 1998, the Independent Regulatory Review Commission (Commission) received this regulation from the Insurance Department (Department). It amends 31 Pa. Code Chapter 89, Subchapter K and Appendix I. The authority for this regulation is found in sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking will bring the Department's Medicare supplement insurance regulation into compliance with recent amendments to the Medicare program under the

Federal Social Security Act (42 U.S.C.A. § 1395ss) and the Balanced Budget Act of 1997 (P. L. 105-33). The changes implement the National Association of Insurance Commissioners Medicare Supplement Insurance Minimum Standards Model Act in Pennsylvania.

The changes will provide more choices under medical supplement insurance policies by giving Medicare beneficiaries the opportunity to try a range of managed care plans. Insurers would also have some increased flexibility, including having a choice of disclosure statements to use.

We have reviewed this regulation and find it to be in the public interest. The amendments will update the Department's regulation to conform to recent changes in Federal law and enable the Department to maintain its regulatory authority on this subject.

*Therefore, It Is Ordered That:*

1. Regulation No. 11-177 from the Insurance Department, as submitted to the Commission on November 10, 1998, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III ; John F. Mizner

Public Meeting held  
December 10, 1998

*Pennsylvania State Police—DNA Detection of Sexual and Violent Offenders Act; Regulation No. 17-59*

#### Order

On October 8, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania State Police (PSP). This rulemaking amends 37 Pa. Code Chapters 58 and 59. The authority for this regulation is the DNA Detection of Sexual and Violent Offenders Act (act) (35 P. S. §§ 7651.101—7651.1102). The proposed regulation was published in the October 19, 1996 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 2, 1998.

The proposal contains the procedures for the collection, receipt and processing of DNA samples in the Database Laboratory. It also establishes procedures to access data and information in the DNA Database and DNA Databank. The proposal also repeals the existing Statement of Policy adopted in 1996 which contained interim procedures to administer the act.

We have reviewed this regulation and find it to be in the public interest. The PSP will be able to identify repeat offenders through identification of their forensic DNA profile. Further, Pennsylvania's information will be linked through the Combined DNA Identification System operated by the Federal Bureau of Investigation which will be of assistance to law enforcement agencies nationwide.

*Therefore, It Is Ordered That:*

1. Regulation No. 17-59 from the Pennsylvania State Police, as submitted to the Commission on November 2, 1998, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-2133. Filed for public inspection December 24, 1998, 9:00 a.m.]

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at cromberg@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-2135. Filed for public inspection December 24, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Coal Mine Compensation Rating Bureau of Pennsylvania; Workers' Compensation Loss Cost Filing

On December 15, 1998, the Insurance Department received from the Coal Mine Compensation Rating Bureau of Pennsylvania a filing for a loss cost level change for Workers' Compensation insurance. The Bureau requests an overall 16.0% decrease which includes loss based assessments.

Copies of the filings are available for public inspection during normal working hours, by appointment, at the Insurance 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 (e-mail at cromberg@ins.state.pa.us) within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-2134. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Pennsylvania General Insurance Company; Homeowner's Rate Revision

On December 9, 1998, the Insurance Department received from Pennsylvania General Insurance Company a filing for a rate level change for homeowner's insurance.

The company requests an overall 0.8% decrease amounting to -\$97,668 annually, to be effective January 15, 1999 for new business and February 20, 1999 for renewal business.

Unless formal administrative action is taken prior to February 7, 1999, the subject filing may be deemed approved by operation of law.

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

### 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. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Gladys J. and Robert L. Zanakis; file no. 98-308-72124; State Farm Fire and Casualty Insurance Co.; doc. no. PI98-12-008; January 12, 1999, 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. 98-2136. Filed for public inspection December 24, 1998, 9:00 a.m.]

# OFFICE OF THE BUDGET

## Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by Section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New

Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 17, 1998, that the salaries covered by that law shall be increased by 1.6% effective January 1, 1999. The following chart sets out the agency head position, the salary prior to the adjustment, the percentage amount of the adjustment, and the new salary:

### COLA ADJUSTMENT FOR ELECTED AND APPOINTED OFFICIALS RECEIVING SALARIES CONTAINED IN ACT 1995-51

COLA ADJUSTMENT IS BASED ON THE PERCENT CHANGE IN THE CPI-U FOR PA-DE-NJ-MD, CMSA, FOR THE 12 MONTH PERIOD ENDING NOVEMBER 1998

<i>Position</i>	<i>Salary Prior to 1/1/99</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/99</i>
Governor	\$130,297	1.6%	\$132,382
Lieutenant Governor	\$109,450	1.6%	\$111,201
State Treasurer	\$108,407	1.6%	\$110,142
Auditor General	\$108,407	1.6%	\$110,142
Attorney General	\$108,407	1.6%	\$110,142
Large Agency Head	\$104,238	1.6%	\$105,906
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$99,026	1.6%	\$100,610
Secretary of Aging			
Secretary of Commerce & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$93,814	1.6%	\$95,315
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
<i>Position</i>	<i>Salary Prior To 1/1/99</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/99</i>
Liquor Control Board			
Chairman	\$52,953	1.6%	\$53,800
Member	\$50,868	1.6%	\$51,682
Civil Service Commission			
Chairman	\$42,346	1.6%	\$43,024
Member	\$42,346	1.6%	\$43,024
State Tax Equalization Board			
Chairman	\$18,242	1.6%	\$18,534
Member	\$16,938	1.6%	\$17,209
Milk Marketing Board			
Chairman	\$16,938	1.6%	\$17,209
Member	\$16,287	1.6%	\$16,548
Securities Commission			
Chairman	\$16,938	1.6%	\$17,209

<i>Position</i>	<i>Salary Prior To 1/1/99</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/99</i>
Member Athletic Commission	\$ 15,636	1.6%	\$ 15,886
Chairman	\$ 13,682	1.6%	\$ 13,901
Member Board of Pardons	\$ 13,030	1.6%	\$ 13,238
Member Board of Claims	\$ 11,988	1.6%	\$ 12,180
Chairman	\$ 88,393	1.6%	\$ 89,807
Member Public Utility Commission	\$ 84,224	1.6%	\$ 85,572
Chairman	\$101,632	**	\$103,110
Member Environmental Hearing Board*	\$ 99,026	1.6%	\$100,610
Chairman	\$101,632	1.6%	\$103,258
Member	\$ 99,026	1.6%	\$100,610

\*: The Environmental Hearing Board is not contained in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

\*\* : Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

ROBERT BITTENBENDER,  
*Secretary*

[Pa.B. Doc. No. 98-2137. Filed for public inspection December 24, 1998, 9:00 a.m.]

## PENNSYLVANIA COMMISSION FOR WOMEN

### Meeting Notice

The Pennsylvania Commission for Women has scheduled the Commissioner's Meeting for the first quarter of 1998 to be held Monday, January 11, 1999, at 9:30 a.m. until 3 p.m. The Commissioner's Meeting will be held in the Green Room of the Forum Building at Walnut Street and Commonwealth Avenue, Harrisburg, PA 17120. The public is invited to attend. Persons who need accommodations due to a disability and want to attend should contact Christine Anderson, PA Commission for Women, 205 Finance Building, Harrisburg, PA 17120 at (717) 787-8128, at least 24 hours in advance so arrangements can be made.

LOIDA ESBRI,  
*Executive Director*

[Pa.B. Doc. No. 98-2138. Filed for public inspection December 24, 1998, 9:00 a.m.]

## PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

### Meeting Notice

Notice is hereby given of a working group meeting of the Radiological Emergency Preparedness Advisory Committee (REPAC) of the Pennsylvania Emergency Management Council (PEMC) to review the State policy regarding the use of potassium iodide (KI) in connection with a nuclear power plant incident. The meeting will be held at

10 a.m., Wednesday, February 10, 1999, in dining room C at M.S. Hershey Medical Center.

Questions concerning this meeting should be directed to Vice Chair William P. Kirk at (717) 783-9730.

JOSEF C. JORDAN,  
*Director*

[Pa.B. Doc. No. 98-2139. Filed for public inspection December 24, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before January 18, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00115489. Laurel Valley Ambulance Service, Inc.**  
(13th and Franklin Streets, New Florence, Westmoreland

County, PA 15944), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the borough of New Florence, Westmoreland County, and points within an airline distance of 100 statute miles of the limits of said borough, and from points in said territory, to points in Pennsylvania, and return.

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

**A-00115488. Raymond Edward Geissler, Jr., t/d/b/a Geissler Tours** (501 Locust Street, Irwin, Westmoreland County, PA 15642)—brokerage license—to arrange for the transportation of persons and their baggage between points in Pennsylvania.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Provost Transport, Inc.; Doc. No. A-00112606C9701*

**Complaint**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Provost Transport, Inc., respondent, maintains a principal place of business at 7887 Grenache Street, Anjou Quebec CD H1J1C4.
2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00112606.
3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.
4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.
5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Provost Transport, Inc. at Docket No. A-00112606, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,  
 George T. Mahan, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

*Verification*

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

George T. Mahan

*Notice to Plead*

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Acting  
 Secretary  
 Pennsylvania Public Utility  
 Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty 20 days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Pottle's Transportation, Inc.; Doc. No. A-00108574C9701*

**Complaint**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsi-

bilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Pottle's Transportation, Inc., respondent, maintains a principal place of business at P. O. Box 877, Oldin Road, Bangor, Maine 04401.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00108574.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Pottle's Transportation, Inc. at Docket No. A-00108574, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,  
George T. Mahan, Director  
Bureau of Transportation and  
Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

George T. Mahan

*Notice to Plead*

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Acting  
Secretary  
Pennsylvania Public Utility  
Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty 20 days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking

your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Samuel R. Snader; Doc.  
No. A-00113683C9801*

**Complaint**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Samuel R. Snader, respondent, maintains a principal place of business at 38 East 28th Division Highway, Lititz, PA 17543.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00113683.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Commission revoke respondent's certificate of public convenience or order such other remedy as the Commission may deem to be appropriate.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke the certificate of public convenience held by

Samuel R. Snader at Docket No. A-00113683, for failure to maintain current evidence of insurance on file with the Commission or order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,  
George T. Mahan, Director  
Bureau of Transportation and  
Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

George T. Mahan

*Notice to Plead*

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility  
Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty 20 days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-2140. Filed for public inspection December 24, 1998, 9:00 a.m.]

**Transfer by Sale  
Without Hearing**

**A-310011F0002. ConQuest Operator Services Corp.** Application of ConQuest Operator Services Corp. for approval of the transfer by sale of selected assets to New Millennium ConQuest Service Corp. Nunc Pro Tunc.

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 January 11, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* ConQuest Operator Services Corp.

*Through and By Counsel:* Monique Byrnes, Consultant, Technologies Management, Inc., 210 N. Park Ave., Winter Park, FL 32789.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-2141. Filed for public inspection December 24, 1998, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-212955F0010. Superior Water Company, Inc.** Application of Superior Water Company, Inc. for approval to begin to offer, render, furnish or supply water service to the public in additional portions of Upper Pottsgrove Township.

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 January 11, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* Superior Water Company, Inc.

*Through and By Counsel:* Louise A. Knight, Malatesta Hawke & McKeon LLP, Harrisburg Energy Center, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105-1778.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-2142. Filed for public inspection December 24, 1998, 9:00 a.m.]

**PHILADELPHIA REGIONAL  
PORT AUTHORITY**

**Request for Proposals**

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project No. 9832.8, Repairs to Freight Elevators, Pier 84 South until 2 p.m. on Thursday, January 14, 1999. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available December 29, 1998. The cost of the bid document is \$35 (includes 7% PA

Sales Tax) which is nonrefundable. PRPA is an equal opportunity employer. The contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held January 7, 1999, 10 a.m. at Pier 84 South, Main Door.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 98-2143. Filed for public inspection December 24, 1998, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17108:

January 6, 1999	Dianne Jenkins Papa (Multiple Service)	1 p.m.
January 13, 1999	Thomas G. Taylor (Student Payroll)	1 a.m.
February 3, 1999	Francis P. Bach (Service Purchase)	1 p.m.
February 10, 1999	Lorrie L. Siftar (Student Service)	1 p.m.
February 24, 1999	Jack T. Polk (Student Service)	1 p.m.
March 24, 1999	Francis J. Hudak (Graduate Assistant)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 98-2144. Filed for public inspection December 24, 1998, 9:00 a.m.]

## STATE SYSTEM OF HIGHER EDUCATION

### Request for Qualifications

**California University of Pennsylvania**  
**Washington County, PA**

California University of Pennsylvania in cooperation with the Federal Highway Administration (FHWA) and

the PA Department of Transportation will retain a professional firm or firms to conduct feasibility studies and environmental studies for a safety oriented people mover and parking facility consistent with the University's Master Plan on the University Campus in California, PA. Interested consultants must submit letters of interest if they wish to be considered.

The project will provide analysis of a campus-wide people mover and parking facility. The services required include, but are not limited to, mapping, traffic impact study/needs analysis, preliminary engineering and analysis, parking study, preparation of an environmental impact assessment, geological investigation, hydrologic and hydraulic studies, preliminary size and route study, public involvement, analysis of financing alternatives and detailed cost estimates and constructability reviews.

A short list will be made from the letters of interest of those firms responding to this advertisement. Submission must include a Standard Form 254 and 255.

Letters of interest will be evaluated on the basis of the following:

1. Experience and technical competence of firm/team.
2. Experience of key team members in regards to Federal and State requirements.
3. Ability to expedite the study, keep on schedule and control quality.
4. Demonstration of past performance on safety or transportation related projects.
5. Workloads and availability of staff.
6. Location of the consultant with respect to the project area.

The Disadvantaged Business Enterprise (DBE) goal for this project is 10% of the total contract. DBE firms must be certified by the PA Department of Transportation at the time the proposal is submitted. The University encourages responses from small firms, minority firms and firms that have not previously worked for the University.

The University reserves the right to reject any and all proposals submitted for the solicitations requested by this notice, and/or readvertise solicitation for work and services.

Responses are due by 4 p.m. on January 22, 1999, to Thomas L. Jameson, Director of Physical Plant, California University of Pennsylvania, Administration Building Room 222, 250 University Avenue, California, PA 15419.

JAMES H. MCCORMICK,  
*Chancellor*

[Pa.B. Doc. No. 98-2145. Filed for public inspection December 24, 1998, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Bids

The Turnpike Commission is requesting sealed bids for:

- 1) Ten 1/2 Ton Bi-Fuel (Gasoline/Propane) Powered Pickup Trucks

*Bid Opening:* January 12, 1999 at 11 a.m.

2) Improvements to Wastewater Treatment Plants at the Lawn Service Plaza (Lebanon County) and the Peter J. Camiel Service Plaza (Chester County)

*Mandatory Site Inspection:* January 5, 1999 at 11 a.m., at Lawn Service Plaza, Milepost 258.8 Westbound.

*Bid Opening:* January 19, 1999 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal forms and conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Department, (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2146. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following contract:

**Contract No. 99-007-RU92-C**—Roadway Repairs between M.P. 0.06, at the Pennsylvania and Ohio Border and M.P. 47.73, Exit 5, and between M.P. B-27.53, Exit 15 and M.P. B-45.00, Exit 20, on the PA. Turnpike System and Toll 60 in Lawrence, Beaver, Butler and Allegheny Counties, PA

*Bid Opening Date*—January 28, 1999, 1 p.m.

*Bid Surety*—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

Direct questions for this project to Inessa Evenchik, (717) 939-9551, Ext. 5770.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2147. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676)

and publicly opened and read at the date and time indicated for the following contract:

**Contract No. 99-007-RU91-C**—Roadway Repairs between M.P. 67.40, Exit 7 and M.P. 109.90, Exit 10 on the PA Turnpike System in Westmoreland and Somerset Counties, PA

*Bid Opening Date*—January 28, 1999, 1:30 p.m.

*Bid Surety*—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

Direct questions for this project to Inessa Evenchik, (717) 939-9551, Ext. 5770.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2148. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Request for Proposals

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

**Contract No. 99-007-RW84-C**—Roadway Repairs between M.P. 201.30, Exit 15 and M.P. 247.38, Exit 19, on the PA Turnpike System in Franklin, Cumberland, York and Dauphin Counties, PA

*Bid Opening Date*—January 28, 1999, 2 p.m.

*Bid Surety*—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No Refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

Direct any questions for this project to Inessa Evenchik, telephone (717) 939-9551, Ext. 5770.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2149. Filed for public inspection December 24, 1998, 9:00 a.m.]

### Request for Proposals

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

**Contract No. 99-007-RQ35-C**—Roadway Repairs between M.P. A-55.72, Exit 34 and M.P. A-110.41, Exit 39, on the PA Turnpike System in Carbon, Luzerne and Lackawanna Counties, PA

*Bid Opening Date*—January 28, 1999, 2:30 p.m.

### *Bid Surety*—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission. Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No Refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

Direct any questions for this project to Inessa Evenchik, telephone (717) 939-9551, Ext. 5770.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2150. Filed for public inspection December 24, 1998, 9:00 a.m.]