

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Year 2000 Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice that it intends to award up to \$100,000 in grants under its Year 2000 Dog Control Facility Bill Reimbursement Program (program). The program will award bill reimbursement grants of up to \$5,000-per-recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this program. The program will be funded from the Dog Law Restricted Account, from funds which are declared to be surplus funds for the limited purposes set forth in the Dog Law (3 P. S. § 459-1002(b)).

The proposed guidelines and conditions for the program are set forth as follows. In fulfillment of the requirement of 7 Pa. Code § 23.4 (relating to conditions and guidelines), the Department invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by the Department no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The Department will review and consider all written comments in preparing the final guidelines and conditions for the program. The final guidelines and conditions for the program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced previously. The Department will invite the submission of grant applications at that time.

#### *Proposed Guidelines and Conditions for the Year 2000 Dog Control Facility Bill Reimbursement Grant Program*

##### 1. *Definitions.*

The following words and terms, when used in these guidelines and conditions, have the following meanings:

*Department*—The Pennsylvania Department of Agriculture.

*Dog control*—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in the Dog Law at 3 P. S. § 459-102.

*Eligible Bill*—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery.
- iv. If for services, a description of the nature of the services and the dates upon which the services were rendered.

- v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility for which payment is sought was provided.

- vi. The name, address and telephone number of the entity issuing the document.

*Humane society or association for the prevention of cruelty to animals*—A nonprofit society or association duly incorporated under 15 Pa.C.S. Ch. 53, Subch. A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in the Dog Law at 3 P. S. § 459-102.

*Program*—The Year 2000 Dog Control Facility Bill Reimbursement Program.

##### 2. *Eligibility.*

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2000.
- e. Agrees—as a condition of receiving any grant money under the program—to continue to perform dog control activities through the year 2000.

- f. Has a total operating budget of \$150,000 or less for the 2000 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$150,000 or less for each fiscal year comprising any portion of calendar year 2000.

##### 3. *Use of Grant Funds.*

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$5,000 with respect to any application. The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2000 through December 31, 2000. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2000 or after December 31, 2000, that bill is not an eligible bill and will not be reimbursed by the Department under the program.

#### 4. *Application Process.*

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the program must complete a written application form and deliver it to the Department no later than 30 days from the date the final guidelines and conditions are published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, telephone: (717) 787-4833, fax: (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2, above.
- iii. The maximum grant amount sought by the applicant—not to exceed \$5,000.

iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 1999 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

v. Such other information as the Department might reasonably require.

#### 5. *Review and approval of grant application.*

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 45 days from the date the final guidelines and conditions are published in the *Pennsylvania Bulletin*, to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation to evaluate the grant request, it will so advise the applicant.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.

iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.

iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

#### 6. *Grant agreement.*

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions under which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By May 15, 2000, the grant recipient will: (1) Deliver copies of the eligible bills it has paid between January 1 and April 30, 2000; (2) Verify that these bills have been paid and are eligible for reimbursement; and (3) Provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2000, the grant recipient will: (1) Deliver copies of the eligible bills it has paid between May 1 and August 31, 2000; (2) Verify that these bills have been paid and are eligible for reimbursement; and (3) Provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2001, the grant recipient will: (1) Deliver copies of the eligible bills it has paid between September 1 and December 31, 2000; (2) Verify that these bills have been paid and are eligible for reimbursement; and (3) Provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 60 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 99-2006. Filed for public inspection November 24, 1999, 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 November 16, 1999.

**BANKING INSTITUTIONS**  
**Holding Company Acquisitions**

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-9-99	Omega Financial Corporation, State College, to acquire up to 24.9% of Clearfield Bank & Trust Company, Clearfield	State College	Withdrawn

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-11-99	Patriot Bank Pottstown Montgomery County	Wegman's Plaza Tilghman Street Allentown Lehigh County	Opened
11-4-99	The Drovers & Mechanics Bank York York County	Route 15 & Spring Lane Dillsburg Carroll Township York County	Opened
11-8-99	Fulton Bank Lancaster Lancaster County	Cumberland Business Park 360 Cumberland Parkway Mechanicsburg Upper Allen Township Cumberland County	Opened
11-9-99	The Glen Rock State Bank Glen Rock York County	3090 Cape Horn Road Red Lion York County	Filed
11-9-99	The Drovers & Mechanics Bank York York County	30 West Patrick Street Frederick Frederick County Maryland	Filed
11-12-99	Northern State Bank Towanda Bradford County	120 West Fourth Street Williamsport Lycoming County	Filed

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
11-12-99	Pocono Community Bank Stroudsburg Monroe County	Amendment to Article Six provides for an increase in the number of authorized shares of common stock from 3,000,000 to 4,000,000 and a change in the par value per share of common stock from \$5.00 to \$2.50, thereby effecting a two-for-one stock split.	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>
11-15-99	Schuylkill County School Employees Credit Union, Pottsville, and Good Samaritan Hospital Pottsville Federal Credit Union, Pottsville Surviving Institution—Schuylkill County School Employees Credit Union, Pottsville	Pottsville	Approved

DAVID E. ZUERN,  
*Secretary*

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

##### (Part I Permits)

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other 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.

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

*Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.*

**PA 0061042.** Sewerage, **Mapleway, Inc.**, 1149 Old Trail Road, Clarks Summit, PA 18411.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into a wet weather channel to Ackerly Creek in Glenburn Township, **Lackawanna 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/proposed downstream potable water supply (PWS) considered during the evaluation is the Danville Water Supply on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of .0019 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine (1st Month—24th Month) (25th Month—Expiration Date)	monitor and report 1.2	monitor and report 2.8

The EPA waiver is in effect.

**PA 0020915.** Sewerage, SIC, **Borough of Pine Grove**, One Snyder Avenue, Pine Grove, PA 17963.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Swatara Creek in Pine Grove Township, **Schuylkill 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 Swatara Dam on Swatara Creek in Lebanon County.

The proposed effluent limits for Outfall 001, based on a design flow of 0.600 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (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
Phosphorous as P	2.0	3.0	4.0
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		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine (1st Month—24th Month)	monitor and report	monitor and report	
(25th Month—Expiration Date)	1	2	

The EPA waiver is in effect.

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

**PA 0001937.** Industrial waste, SIC: 3612, **Cooper Power Systems**, Cooper Industries, 600 Travis, Suite 5800, Houston, TX 77002.

This application is for renewal of an NPDES permit to discharge treated groundwater and stormwater from the Canonsburg Plant in Cecil Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary to Chartiers Creek and Chartiers Creek, 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 Municipal Authority, located at 210 Perry Highway, Pittsburgh, PA 15229, 33 miles below the discharge point.

*Outfall 001: existing discharge*

<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>
PCB-1260			not detectable using EPA Method 608		
Oil and Grease			15.0		30.0
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions:* Compliance schedule to permit and construct treatment facilities.

*Outfall 002: existing discharge*

<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>
PCB-1260			not detectable using EPA Method 608		
Oil and Grease			15.0		30.0
Arsenic			monitor and report		
Copper			monitor and report		
Selenium			monitor and report		
Zinc			monitor and report		
Cyanide (Free)			monitor and report		
(Total)			monitor and report		
Tetrachloroethylene			monitor and report		

Outfall 002: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Trichloroethylene					
Vinyl Chloride					
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			not detectable using EPA Method 608		
Oil and Grease			15.0		30.0
Arsenic			0.06	0.12	0.15
Copper			0.014	0.028	0.035
Selenium			0.006	0.012	0.015
Zinc			0.09	0.18	0.22
Cyanide (Free)			0.006	0.012	0.015
(Total)					
Tetrachloroethylene			0.002	0.004	0.005

Outfall 002: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Trichloroethylene			0.011	0.022	0.0275
Vinyl Chloride			0.000076	0.000152	0.00019
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			not detectable using EPA Method 608		
Oil and Grease			15.0		30.0
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
PCB-1260			not detectable using EPA Method 608		
Oil and Grease			15.0		30.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA 0002062.** Industrial waste, SIC: 4911, **GPU Generation, Inc.**, 1001 Broad Street, Johnstown, PA 15907.

This application is for amendment of an NPDES permit to discharge treated stormwater, leachate and untreated stormwater from the Keystone Generating Station in Plumcreek Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary to Crooked Creek, 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 Cadogan Township W. W., located at Post Office, Cadogan, PA 16212, 26.5 miles below the discharge point.

*Outfall 010: new, interim discharge*

<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>

This discharge shall consist solely of uncontaminated stormwater runoff from the construction of the West Valley Disposal Site.

*Outfalls 010—012: 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>
Total Suspended Solids			30		100
Iron			3.5		7.0
Aluminum				monitor and report	
Manganese			2.0		4.0
Nickel				monitor and report	
Zinc				monitor and report	
pH	not less than 6.0 nor greater than 9.0				

*Outfalls 013—014: 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>
Iron				monitor and report	
Manganese				monitor and report	
Total Suspended Solids				monitor and report	
Sulfate				monitor and report	
Barium				monitor and report	
Arsenic				monitor and report	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 015—020: 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>

These discharges shall consist solely of uncontaminated stormwater runoff.

*Other Conditions:* Conditions relating to stormwater associated with the construction activities.

The EPA waiver is not in effect.

**PA 0005754.** Industrial waste, SIC: 3312, **J & L Specialty Steel, Inc.**, One PPG Place, 18th Floor, P. O. Box 3373, Pittsburgh, PA 15230.

This application is for renewal of an NPDES permit to discharge treated process water and cooling water, and untreated cooling water, stormwater, backwash and steam condensate from the Midland Plant in Midland Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Borough Water Authority, located near the Midland Plant Outfall 003 discharge point.

*Outfall 001: existing discharge, design flow of 6.86 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>
Flow (mgd)				monitor and report	
Temperature (°F)				110	
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.17
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions:* Solids disposal, control floating solids, chemical additives, IMAX limit, priority pollutant sampling, cooling water conditions, stormwater conditions, control lab reagent disposal, TRC conditions, temperature conditions and elimination of Outfall 201.

*Outfall 101: Discharge Volume 0.0216 mgd*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)				monitor and report	
Total Suspended Solids	72	217	25	70	87
Oil and Grease	22	65	10		30
Lead	0.087	0.26	0.3	0.9	1.1
Zinc	0.13	0.39	0.45	1.35	1.7
Chromium			0.4	1.0	1.2
pH	not less than 6.0 nor greater than 9.0				

*Outfall 003: existing discharge, design flow of 1.52 mgd*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)				monitor and report	
Total Residual Chlorine			0.5		1.17
Mercury				monitor and report	

*Outfall 004: existing discharge, design flow of 3.54 mgd*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)				monitor and report	
Temperature (°F)					110
Oil and Grease			15		30
Iron			4		7
Total Residual Chlorine			0.5		1.17
pH	not less than 6.0 nor greater than 9.0				

*Outfall 104: existing discharge, design flow of 1.58 mgd*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Total Suspended Solids	524	1,220	30	60	75
Oil and Grease	30	90	10		30
Chromium	7.0	17.5	0.4	1.0	1.2
Nickel	5.2	15.7	0.3	0.9	1.1
Naphthalene		0.0149		0.1	
Tetrachloroethylene		0.0223		0.15	
CBOD <sub>5</sub>				monitor and report	
Nitrate/Nitrite Nitrogen				monitor and report	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 204: existing discharge, design flow of 0.036 mgd*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Total Suspended Solids			30		60
Iron			2.4		4.8
Chromium			0.4		1.2
Nickel			0.3		1.1
pH	not less than 6.0 nor greater than 9.0				



*Outfall 304: existing discharge, design flow of 0.26 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>
Flow (mgd)	monitor and report				
Total Suspended Solids			30		60
Iron			2.4		4.8
pH	not less than 6.0 nor greater than 9.0				

*Outfall 404: existing discharge*

<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
Total Iron			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
pH	not less than 6.0 nor greater than 9.0				

*Outfall 504: existing discharge*

<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
Total Iron			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
pH	not less than 6.0 nor greater than 9.0				

*Outfall 005: existing discharge of stormwater*

<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>
Zinc	monitor and report				

*Outfalls 006 and 007: discharge of stormwater*

<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>
Zinc					monitor and report
Oil and Grease					monitor and report
Iron					monitor and report

The EPA waiver is not in effect.

**PA 0098001.** Industrial waste, SIC: 3312, **Koppers Industries, Inc.**, 436 Seventh Avenue, Pittsburgh, PA 15219-1800.

This application is for renewal of an NPDES permit for stormwater, groundwater and noncontact cooling water from the Clairton Plant in Clairton, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Peters Creek, classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing proposed downstream potable water supply (PWS) is PA-American Water Company, located at 410 Cooke Lane, Pittsburgh, PA 15234, 15.2 miles below the discharge point.

*Outfall 001: existing stormwater discharge.*

<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>
Iron					monitor and report
Zinc					monitor and report

Outfall 002: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Zinc	monitor and report		monitor and report		

Outfall 002: existing discharge, design flow of 0.216 mgd. Limits are applicable only when noncontact cooling water is discharged.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report		monitor and report		
Temperature (°F)			110		
pH	not less than 6.0 nor greater than 9.0				

Outfall 009: existing discharge, design flow of 0.068 mgd. Effective from permit effective date through 3 years after effective date.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report		monitor and report		
Suspended Solids			30		75
Benzene			monitor and report		
Phenolics			monitor and report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 009: existing discharge, design flow of 0.068 mgd. Effective from 3 years after permit effective date through expiration date.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report		monitor and report		
Suspended Solids			30		75
Benzene			0.001		0.003
Phenolics			0.02		0.05
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA 0110159. Industrial waste, SIC: 4011, **Norfolk Southern Railway Company**, 110 Franklin Road S. E., P. O. Box 13, Roanoke, VA 24042-0013.

This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Cresson Enginehouse in Cresson Borough, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary of Clearfield Creek, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. There are no public water supply intakes within 100 miles downstream of the discharge.

Outfall 001: existing discharge, design flow of 0.6 mgd, from permit issuance through 3 years after permit issuance.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Benzene			monitor and report		
Ethylbenzene			monitor and report		
Toluene			monitor and report		
Total Xylenes			monitor and report		
Dissolved Iron			monitor and report		
Total Iron			7.0		
Beryllium			monitor and report		
Lead			monitor and report		
Thallium			monitor and report		
Zinc			monitor and report		
Aluminum			monitor and report		
Cobalt			monitor and report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Napthalene				monitor and report	
Total Suspended Solids			30.0	60.0	75.0
Oil and Grease			15.0	30.0	30.0
pH	not less than 6.0 nor greater than 9.0				

*Outfall 001:* existing discharge from 3 years after permit issuance through expiration.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Benzene			0.001	0.002	0.0025
Ethylbenzene			0.003	0.006	0.0075
Toluene			0.002	0.004	0.005
Total Xylenes			0.009	0.018	0.0225
Iron					
(Dissolved)			0.12	0.24	0.3
(Total)			1.5	3.0	3.75
Beryllium			0.01	0.02	0.025
Lead			0.003	0.006	0.0075
Thallium			0.002	0.004	0.005
Zinc			0.1	0.2	0.25
Aluminum			0.5	1.0	1.25
Cobalt			0.02	0.04	0.05
Napthalene			0.01	0.02	0.025
Total Suspended Solids			30.0	60.0	75.0
Oil and Grease			15.0	30.0	30.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

*Other Conditions:* Requirement to construct treatment facilities, prohibition of sheens, prohibition of floating substances and/or scums.

**PA 0218081.** Industrial waste, SIC: 3547, **West Homestead Engineering and Machine Company (WHEMCO)**, P. O. Box 438, West Seventh Avenue, Homestead, PA 15120.

This application is for issuance of an NPDES permit to discharge treated process water and untreated cooling water and stormwater from the West Homestead Plant (including Hays Heat Treatment Building) in West Homestead Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Streets Run, West Run and Monongahela River, classified as warm water fisheries with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is PA-American Water Company, Becks Run Intake, located at Pittsburgh, PA, over 1-1/2 miles below the discharge point.

*Outfall 006:* existing discharge, design flow of 0.0948 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Average Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Oil and Grease	monitor and report				
Temperature (°F)					
February 1—29				102	110
March 1—November 15				110	110
November 16—November 30				100	110
December 1—31				85	110
January 1—31				110	110
pH	not less than 6.0 nor greater than 9.0 s.u.				

*Outfall 106:* existing discharge, design flow of 0.0786 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Average Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Average Daily	Instantaneous Maximum
Oil and Grease				10	
Total Suspended Solids			15	40	
Iron			3.4	6.8	
pH	not less than 6.0 nor greater than 9.0 s.u.				

Outfalls 003, 004, 008, 013, 014: existing discharge, stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Average Daily	Instantaneous Maximum
Zinc					monitor and report
pH (s.u.)					monitor and report

Outfalls 001, 002, 005, 007, 009, 010, 011 and 012: existing discharge, stormwater discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Average Daily	Instantaneous Maximum
Zinc					monitor and report
Oil and Grease					monitor and report

Other Conditions: Solids disposal, stormwater, floating solids, temperature and cooling water, Part II application and identify outfalls.

The EPA waiver is in effect.

**PA 0218227.** Industrial waste, SIC: 4941, **Municipal Authority of the Township of Washington**, 1390 Fayette Avenue, Belle Vernon, PA 15012.

This application is for issuance of an NPDES permit to discharge treated process water and untreated stormwater from the MATW Water Treatment Plant in Fayette City Borough, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Belle Vernon Municipal Authority, located at Belle Vernon on the Monongahela River, over 2.5 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.55 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			30		60
Total Iron			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.17
pH	not less than 6.0 nor greater than 9.0 s.u.				

Other Conditions: Residual solids control, floating solids control, stormwater conditions, chemical additive requirements, Total Residual Chlorine conditions, effluent concentration requirement.

The EPA waiver is in effect.

Outfall 002: new stormwater discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Outfall to consist solely of uncontaminated stormwater discharge.					

**PA 0027618.** Sewage, **Bethel Park Municipal Authority**, 5100 West Library Avenue, Bethel Park, PA 15102.

This application is for renewal of an NPDES permit to discharge treated sewage from the Bethel Park Sewage Treatment Plant (Piney Fork STP) in South Park Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Piney Fork, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania-American Water Company at Monongahela River Mile 4.4.

Outfall 001: existing discharge, design flow of 4.92 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10	15		20
Suspended Solids	25	38		50
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	4.0	6.0		8.0
Copper				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.017			0.034
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.16			0.53
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA 0216623.** Sewage, **Joseph J. and Dolores M. Hajas**, R. R. 4, Box 296, Blairsville, PA 15717.

This application is for renewal of an NPDES permit to discharge treated sewage from Evergreen Restaurant and Lounge STP in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as drainage swale to unnamed tributary of Stony Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Water Works on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.00081 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			
Total Residual Chlorine	monitor and report			
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0100048.** Sewage, **Spectrum Control, Inc.**, 8061 Avonia Road, Fairview, PA 16415.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Brandy Run in Fairview Township, **Erie County**. This is an existing non-POTW discharge.

The receiving water is classified for cold water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, there is no existing/proposed downstream potable water supply (PWS) to consider during the evaluation.

The proposed effluent limits for Outfall 001, based on an average design flow of 0.010 mgd, are:

Parameter	Effluent Concentration (mg/l)	
	Average Monthly	Instantaneous Maximum
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
NH <sub>3</sub> -N (5-1 to 10-31)	3.5	7
(11-1 to 4-30)	10.5	21
Phosphorus as P	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	1.4	3.3
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0026832.** Sewage, **Ellwood City Borough**, 525 Lawrence Avenue, Ellwood City, PA 16117.

This application is for renewal of an NPDES permit to discharge treated sewage to Connoquenessing Creek in Ellwood City, **Lawrence County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority on the Beaver River located at Eastvale, approximately 8.5 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 2.1 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
CBOD <sub>5</sub>	30	45	60
Total Suspended Solids	35	50	70
Ammonia Nitrogen (5-1 to 10-31)	16		32
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	43,000/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.6
pH	6.0—9.0 at all times		

XX—monitor and report on monthly DMRs.

*Other Requirements:* — Combined Sewer Overflow Management  
— Stream Biomonitoring  
— Industrial User Control Program

The EPA waiver is not in effect.

**PA 0001252.** Industrial waste, SIC: 2813, **Air Products Chemicals, Inc.**, Delano Road, Meadville, PA 16335.

This application is for renewal of an NPDES permit, to discharge treated waste to an unnamed tributary of Conneaut Outlet in Greenwood Township, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin City General Authority on French Creek located at Franklin, approximately 29.9 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 and 002, based on a design flow of 0.00087 mgd, are:

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

The EPA waiver is in effect.

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

**Applications under the Pennsylvania Clean  
Streams Law**

**(Part II Permits)**

**Applications**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection. Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference concerning the plan, action or application to which the protests relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

**WQM Permit No. 1799402.** Sewerage. Submitted by **Turbotville Borough Authority**, P. O. Box 264, Turbotville, PA 17772. The application was received by the Northcentral Regional Office on November 1, 1999. This application is for an increase in the permitted loading rate of their existing sewage treatment plant.

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

**A. 0274469, Amendment No. 3.** Sewerage. **Allegheny County Sanitary Authority (ALCOSAN)**, 3300 Preble Avenue, Pittsburgh, PA 15233-1092. Application for the substitution and operation of centrifuge dewatering units for belt filter presses at the existing ALCOSAN Wastewater Treatment Plant located in the City of Pittsburgh, **Allegheny County**.

**A. 6584433, Amendment No. 2.** Sewerage. **Antiochian Orthodox Christian Archdiocese of North America**, P. O. Box 638, Ligonier, PA 15658-0638. Application for revisions to Antiochian Village Sewage Treatment Plant in Fairfield Township, **Westmoreland County**.

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

**WQM Permit No. 2499402.** Sewage. **City of St. Marys**, P. O. Box 1994, 808 South Michael Road, St. Marys, PA 15857. This project is for the replacement of two manholes and clay pipe sewer line for the 4th Street bridge replacement in the City of St. Marys, **Elk County**.

**WQM Permit No. 2599419.** Sewage. **Washington Township Sewer Authority**, 11800 Edinboro Road, Edinboro, PA 16412. This project is for the installation of a new, additional microscreen at the existing wastewater treatment plant in Washington Township, **Erie County**.

**WQM Permit No. 109941.** Sewage, **Anna McMurdo Estate**, c/o Annabelle Eichler, Executor, 218 North Clay Street, Apt. H, Zelienople, PA 16063. This project is for the construction of a single residence sewage treatment plant in Forward Township, **Butler County**.

**SAFE DRINKING WATER**

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

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

**A. 4699512.** Public water supply. **Red Hill Water Authority**, P. O. Box 26, Red Hill, PA 18076. This proposal involves the installation of two activated carbon filters to remove TCE from Well No. 1 in Upper Hanover Township, **Montgomery County**.

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

**Application No. Minor Amendment.** The Department has received a permit application from **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901, Duncan Township, replace the vertical turbine pump in Mann's Well with a new submersible pump.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 1**

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

Sections 302, 303, 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 the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of a cleanup standards, or who receives approval of a

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

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

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

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

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

**Upper Nike Property**, Schuylkill and Tredyffrin Townships, **Chester County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Chester County Daily Local News* on October 8, 1999.

**Sunoco, Former No. 3 Tank Farm**, Bethel Township, **Delaware County**. James H. Mulry, Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. 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 Delaware County Times* on October 20, 1999.

**Levitz Furniture Facility**, Middletown Township, **Bucks County**. Gregory L. McIsaac, ATC Associates, Inc., 8989 Herrmann Drive, Suite 300, Columbia, MD 21045, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and

polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on October 25, 1999.

**The Former Heinz Corp. Property, Parcel A**, City of Philadelphia, **Philadelphia County**. Ted Haldis, Gen. Manager, HBR Heintz Associates, L.P., 826 East Erie Ave., Philadelphia, PA 19134, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents and BTEX. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on October 25, 1999.

**The Former Heinz Corp. Property, Parcel B**, City of Philadelphia, **Philadelphia County**. Ted Haldis, Gen. Manager, HBR Heintz Associates, L.P., 826 East Erie Ave., Philadelphia, PA 19134, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents and BTEX. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on October 25, 1999.

*Northeast Regional Field Office: Joseph A. Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #65136S48011 (Gary Street, between 13th and 14th Streets)**, City of Bethlehem, **Lehigh County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The notice indicates that the site will be remediated to meet the Statewide human health standard. A Final Report was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #63020S47718 (North 6th Street Extension)**, Whitehall Township, **Lehigh County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The notice indicates that the site will be remediated to meet the Statewide human health standard. A Final Report was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**Northeast Fish Hatchery**, Porter Township, **Clinton County**. Jeffrey L. Case, P.E., on behalf of the US Fish & Wildlife Service, P. O. Box 75, Tylersville Road, Lamar, PA 16848, has submitted a Notice of Intent to Remediate soil contaminated with asbestos. The applicant proposes to remediate the site to meet the background standard. A



summary of the Notice of Intent to Remediate was reported to have been published in the *Lock Haven Express* on October 23, 1999.

### **SOLID AND HAZARDOUS WASTE RESIDUAL WASTE PROCESSING FACILITIES**

**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. 300657. Allegheny Ludlum Corp.**, 100 River Road, Brackenridge, PA 15014-1597. Route 356 Landfill, State Route 356, Allegheny Township, PA 15656. An application for a permit renewal of a captive residual waste landfill in Allegheny Township, **Westmoreland County** was received in the Regional Office on August 18, 1999.

### **AIR QUALITY**

#### **Public Notice**

#### **Notice of Plan Approval and Operating Permit Applications**

#### **Nonmajor Sources and Modifications**

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

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department 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 through 143, the Federal Clean Air Act and regulations adopted under the act.

### **OPERATING PERMITS**

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.*

**35-313-011: Metkote Laminated Products, Inc.** (Keyser Avenue and Union Street, Taylor, PA 18517), for operation of a metal/vinyl lamination line in Taylor Borough, **Lackawanna County**.

**48-399-037: Tirenergy Corp.** (918 Clover Hill Road, Wynnewood, PA 19096), for operation of a tire pyrolysis furnace on Male Road, Plainfield Township, **Northampton County**.

### **PLAN APPROVALS**

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

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

**PA-09-0124: Statoil Energy Power, Inc.** (USX Industrial Park, Fairless Hills, PA 19030), for construction of a combined-cycle electric power generator in Falls Township, **Bucks County**.

**PA-09-0105A: Naceville Materials** (Springfield Street and Route 309, Coopersburg, PA 19474), for construction of an asphalt batch plant in Springfield Township, **Bucks County**.

**PA-15-0058: Martin Limestone, Inc.** (199 Quarry Road, Honey Brook, PA 19344), for installation of a tertiary crusher and sizing screen in West Brandywine Township, **Chester County**.

**OP-15-0010: Lukens Steel Co.** (50 South First Avenue, Coatesville, PA 19320), for modification of a Facility VOC/NOX RACT in City of Coatesville, **Chester County**.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.*

**39-317-012C: Nestle USA, Inc.** (Friskie Petcare Division, 2050 Pope Road, Allentown, PA 18104), for modification of a dry petfood process in South Whitehall Township, **Lehigh County**.

**40-303-020: Pikes Creek Asphalt** (Haines and Kibblehouse, Inc., P. O. Box 196, Skippack, PA 19474), for construction of a batch asphalt plant on Trojan Road, Lehman Township, **Luzerne County**.

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

**06-01007V: Carpenter Technology Corp.** (101 Bern Street, Reading, PA 19601), for modification of the "F" electric arc furnace and associated melt shop equipment and casting operation controlled by a fabric collector in Reading/Muhlenberg Township, **Berks County**. The source is subject to 40 CFR Part 60, Subpart AA—Standards of Performance for Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels.

**36-05107A: Pepperidge Farm, Inc.** (2195 North Reading Road, Denver, PA 17517), for modification of the cracker production line and the installation of a new oxidizer in East Cocalico Township, **Lancaster County**.

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

**PA-43-315A: Russell Standard Corp.** (1210 Perry Highway, Mercer, PA 16137), for construction of a manufacturing process that produces modified asphalt cement in Springfield Township, **Mercer County**. A flare will be installed to control emissions generated.

**42-399-019A: Allegheny Particleboard Ltd. Partnership** (R. R. 1, Box 266, Kane, PA 16735), for modification of the high pressure chip air system in Mt. Jewett, **McKean County**.

**42-399-015: Allegheny Particleboard Ltd. Partnership** (R. R. 1, Box 266, Kane, PA 16735), for installation of a wet ESP to control emissions from the three dryers and oil heater in Mt. Jewett, **McKean County**.

**42-399-027B: Allegheny Medium Density Fiberboard Ltd. Partnership** (R. R. 1, Box 268, Kane, PA 16735), for installation of a wet ESP to control emissions from the two stage dryer and modification of fuel usage from sanderdust to natural gas in Mt. Jewett, **McKean County**.

**42-302-025A: Allegheny Medium Density Fiberboard Ltd. Partnership** (R. R. 1, Box 268, Kane, PA 16735), for modification of existing permits to accommodate natural gas fuel as the primary fuel used in Mt. Jewett, **McKean County**.

**42-399-025A: Allegheny Medium Density Fiberboard Ltd. Partnership** (R. R. 1 Box 268, Kane, PA 16735), for installation of a bioscrubber system to control emissions from the press vent exhausts in Mt. Jewett, **McKean County**.

## MINING

### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for such certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any

person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code § 86.31—34 and § 77.121—23 (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.

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

#### *Coal Applications Received*

**03990108. Thomas J. Smith, Inc.** (R. R. 1, Box 260D, Shelocta, PA 15775). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Plumcreek Township, **Armstrong County**, proposed to affect 57.4 acres. Receiving streams: unnamed tributary to Plumcreek to Plumcreek to Crooked Creek. Application received: November 1, 1999.

**03940105R. Thomas J. Smith, Inc.** (R. R. 1, Box 260D, Shelocta, PA 15774). Renewal application received for continued reclamation of a bituminous surface auger mine located in Plumcreek Township, **Armstrong County**, affecting 94.5 acres. Receiving streams: Dutch Run, unnamed tributary to Plum Creek and Plum Creek. Renewal application received: November 8, 1999.

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

**40990204. HUD, Inc. t/a Emerald Anthracite** (P. O. Box 27, 200 East Front Street, Nanticoke, PA 18634), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in the City of Nanticoke and Hanover Township, **Luzerne County**

affecting 45.2 acres, receiving stream—Nanticoke Creek. Application received October 29, 1999.

**49990201. Black Diamond Mining, Inc.** (P. O. Box 139, Elysburg, PA 17824), commencement, operation and restoration of a coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 124.859 acres, receiving stream—North Branch of Shamokin Creek. Application received November 3, 1999.

*McMurray District Office, 3913 Washington Road, McMurray, PA 15317.*

**30841313. Consolidation Coal Co.** (P. O. Box 100, Osage, WV 26543), to revise the permit for the Dilworth Mine in Cumberland Township, **Greene County** to add 29.54 acres to subsidence control plan, no additional discharges. Application received September 28, 1999.

**04971301. M. J. Mining Co.** (1021 Whitestown Rd., Butler, PA 16001), to revise the permit for the M. J. Mine No. 1 in Greene Township, **Beaver County** to revise the subsidence control boundary and add 578.2 acres, no additional discharges. Application received October 29, 1999.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**16890110. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip and tippel refuse disposal operation in Limestone Township, **Clarion County**, affecting 175.6 acres. Receiving streams: Two unnamed tributaries to Parsons Run, Parsons Run to Sloan Run to Piney Creek to the Clarion River to the Allegheny River. Application for reclamation only. Application received November 3, 1999.

**10980109. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Application to mine within 100 feet and construct a haul road crossing over unnamed tributary B to Bear Run in Muddy Creek Township, **Butler County**. Receiving streams: Unnamed tributary to Bear Run to Lake Arthur to Muddy Creek to Slippery Rock Creek to the Beaver River. Application received November 4, 1999.

**24813008. Tamburlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830). Renewal of an existing bituminous surface strip, auger and clay removal operation in Horton and Snyder Townships, **Elk and Jefferson Counties**, affecting 458.0 acres. Receiving streams: Coal Hollow Run, Mead Run and Little Toby Creek. Application for reclamation only. Application received November 5, 1999.

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

*Noncoal Applications Received*

**6172SM6C5. Bear Gap Stone, Inc.** (R. R. 1, Box 138, Elysburg, PA 17824), renewal of NPDES Permit No. PA0227484 in Ralpho Township, **Northumberland County**, receiving stream—unnamed tributary to South Branch Roaring Creek. Application received November 1, 1999.

**8073SM1C5. Highway Materials, Inc.** (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422), renewal of NPDES Permit No. PA0614602 in Marlborough Township, **Montgomery County**, receiving stream—Unami Creek. Application received November 3, 1999.

**40870301C. Pennsy Supply, Inc.** (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105), correction to a quarry operation in Dorrance Township, **Luzerne County** (currently transferring from Small Mountain

Quarry) affecting 85.8 acres, receiving stream—Wapwallopen Run and Balliet Creek. Application received November 3, 1999.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**3072SM3. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing limestone operation in Marion and Mercer Townships, **Butler County**, affecting 356.2 acres. Receiving streams: Two unnamed tributaries to McMurray Run and McMurray Run and one unnamed tributary to North Branch Slippery Rock Creek to Slippery Rock Creek to the Connoquenessing Creek to the Beaver River to the Ohio River. Renewal of NPDES Permit No. PA0605336. Application received November 2, 1999.

**3778SM10. Franklin Gravel Co.** (411 Grant Street, Franklin, PA 16323). Renewal of an existing sand and gravel permit in the City of Franklin, **Venango County** affecting 9.7 acres. Receiving streams: Patchel Run to French Creek to Allegheny River to the Ohio River. Renewal of NPDES Permit No. PA0108812. Application received November 4, 1999.

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

**26992001. Coolspring Mining, Inc.** (P. O. Box 1328, Uniontown, PA 15401). Application received for commencement, operation and reclamation of a large industrial mineral (limestone) underground quarry located in North Union and Dunbar Townships, **Fayette County**, affecting 410 acres. There are no surface activities or discharges associated with this permit, however, the area streams are tributaries to Cove Run, tributaries to and Dunbar Creek, tributaries to Coolspring Run, and Shutes Run. Application received: November 1, 1999.

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

### ENCROACHMENTS

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

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

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

**E46-855.** Encroachment. **Norristown Borough**, 235 East Airy Street, Norristown, PA 19401-5048. To renovate, operate and maintain an existing parking lot located in the vicinity of an existing flood control project within the 100-year floodplain of Saw Mill Creek. Work will include grading improvements and bituminous paving. This site is located at 300 East Main Street (Norristown, PA Quadrangle N: 20.4-inches; W: 12.5-inches) in the Borough of Norristown, **Montgomery County**.

**E23-042T-2.** Encroachment. **Fox's Grove Marina**, 6 Bartram Avenue, Essington, PA 19029. To reissue and amend the existing Fox's Grove Marine Facility, Permit E23-042T-2, for construction and maintenance of a Travel Lift, consisting of two 40-foot long rails supported by piles approximately 5 feet center to center and 40 linear feet of bulkhead in and along the Delaware River impacting a de minimis area of tidal wetlands (PEM). This site is located between Bartram Avenue and Saude Avenue (Bridgeport, NJ-PA, Quadrangle N: 20.5 inches and W: 6.60 inches) in Tinicum Township, **Delaware County**.

**E23-390.** Encroachment. **G & D Developers**, 627 South Central Blvd., Broomall, PA 19008. To place fill within a 0.46 acre body of water (POW) associated with the construction of lot 6 of a proposed residential subdivision. This site is located approximately 600 feet southeast of the terminus of Wootton Road (Norristown, PA Quadrangle N: 1.2 inches; W: 12.3 inches) in Radnor Township, **Delaware County**.

*Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**E40-532.** Encroachment. **Hunlock Township**, P. O. Box 164, Hunlock Creek, PA 18621. To repair and maintain an existing railroad tie and mortared stone retaining wall along southern streambank of Hunlock Creek (CWF) with work consisting of the following: (1) construction of a gabion basket retaining wall having a height of approximately 12 feet and length of 84 feet to stabilize an eroded section of the existing wall; and (2) placement of approximately 144 feet of R-7 riprap to reduce the potential for future scour along the toe of the existing wall. This work is associated with PADEP—Bureau of Waterways Engineering Project No. S40:117 and is located along the Wildoner Property, just upstream from S. R. 4016 (Nanticoke, PA Quadrangle N: 15.2 inches; W: 10.8 inches), Hunlock Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

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

**E12-118.** Encroachment. **Independence Pipeline Company**, 500 Renaissance Center, Detroit, MI 48243-1902. To construct and maintain a natural gas pipeline, 36 inches in diameter, under Oviatt Branch (EV stream), five tributaries to Brewer Fork (EV), Havens Run (CWF), North Creek (HQ-CWF), Pepper Run (HQ-CWF), Waldy Run (HQ-CWF), a tributary to Waldy Run (HQ-CWF), Roaring Branch (HQ-CWF), Fourmile Run (CWF), Sinemahoning Portage Creek (CWF), a tributary to Sinemahoning Portage Creek (CWF), Lucore Hollow (CWF), Salt Run (CWF), a tributary to Salt Run (CWF), Rednor Hollow (CWF), Bucher Hollow (CWF), and McNuff Branch (HQ-CWF) and across eight wetlands. The pipeline in Cameron County begins at the northwest corner of Cameron County (Wildwood Fire Tower, PA Quadrangle N: 21.2 inches; W: 5.5 inches) and ends about 0.75 mile south of the intersection of Stream Mill Road with the

Potter County/Cameron County Line (Emporium, PA Quadrangle N: 10.0 inches; W: 1.5 inches) in Shippen and Portage Townships, **Cameron County**. Total estimated stream disturbance is 240 feet and total temporary wetland impact is 0.5 acre.

**E17-338.** Encroachment. **Seth Cowder**, R. R. 1, Box 98, Woodland, PA 16881. To construct and maintain a culvert crossing consisting of three pipes, 36 inches in diameter, in Jake Run to access a proposed residential development. This crossing is located off Mutton Hollow Road approximately 1,500 feet south of Route 970 (Wallaceton, PA Quadrangle N: 19.0 inches; W: 13.1 inches) in Bradford Township, **Clearfield County**. Estimated stream disturbance is 50 feet; stream classification is CWF.

**E41-454.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. To remove the existing structure and to construct and maintain a concrete culvert with a span of 91 inches and underclearance of 58 inches in Sugar Run located on S. R. 2061, Segment 0240, approximately 0.7 mile south of S. R. 2073 (Picture Rocks, PA Quadrangle N: 3.7 inches; W: 4.2 inches) in Penn Township, **Lycoming County**. Estimated stream disturbance is 60 feet; stream classification is CWF.

**E59-386.** Encroachment. **North Penn Gas Company**, 76-80 Mill Street, Port Allegany, PA 16743. The applicant proposes to repair, operate and maintain a gas pipeline beneath Tan Creek (cold water fishery); and to restore the channel of the same waterway for the transmission of natural gas. The channel restoration work shall consist of installing steel reinforcement rod doweled into the bedrock of the former channel, grouting rock into the former channel, and constructing a channel to carry low flow through the reach. All steel reinforcement rods shall not extend above the 14-inch gas pipeline. The project will not impact wetlands while impacting a maximum of 50 feet of waterway. The project is located along the western right-of-way of S. R. 0015 approximately 1,645 feet south of S. R. 2025 and S. R. 0015 intersection (Blossburg, PA Quadrangle N: 15.1 inches; W: 11.55 inches) in Covington Township, **Tioga County**.

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

**E03-381 A1.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To amend permit E03-381 and to construct and maintain stream bank stabilization and fish habitat improvements to 19 locations along Cowanshannock Creek (TSF) for the purpose of mitigation for aquatic habitat loss associated with the Kittanning Bypass highway project. This stream work is located within 1 mile downstream from the Sunnyside Bridge (S. R. 0085); (Begin: Mosgrove, PA Quadrangle N: 11.9 inches; W: 13.2 inches; End: Mosgrove, PA Quadrangle N: 12.3 inches; W: 15.2 inches) in Rayburn Township, **Armstrong County**.

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

**E10-308.** Encroachment. **Mars Housing, Inc.**, P. O. Box 868, Mars, PA 16046. To remove the existing culvert and to construct and maintain a 24-foot-long, 68-inch-wide by 43-inch-high reinforced concrete elliptical pipe culvert in a tributary to Breakneck Creek on Gilkey Drive serving as access to the Mars Housing Inc. facility (Penn Mar Plaza apartments) east of Pittsburgh Street approxi-

mately 1,000 feet north of SR 228 (Mars, PA Quadrangle N: 12.25 inches; W: 2.2 inches) in Mars Borough, **Butler County**.

**E25-597. Encroachment. PA Department of Transportation**, District 1-0, 255 Elm Street, Oil City, PA 16301. To remove the existing bridge and to construct and maintain a prestressed concrete spread box beam bridge having a clear normal span of 58.5 feet and an average underclearance of 11.5 feet across Sixteenmile Creek on SR 0089 Segment 0570 Offset 0000 approximately 100 feet south of SR 426 (North East, PA Quadrangle N: 14.82 inches; W: 11.7 inches) in North East Borough, **Erie County**.

**E25-598. Encroachment. PA Electric Company d/b/a GPU Energy**, 2800 Pottsville Pike, Reading, PA 19640. To install a fiber optic cable and to operate and maintain the existing aerial electric distribution line (Line No. 50110) supported by single poles across French Creek upstream of SR 97 approximately 2.7 miles west of SR 0006 (Waterford, PA Quadrangle N: 6.0 inches; W: 3.0 inches) located in LeBoeuf Township, **Erie County**.

**E43-274. Encroachment. PA Dept. of Transportation**, District 1-0, 255 Elm Street, Oil City, PA 16301. To remove the existing bridge and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 38.5 feet and an average underclearance of 5.3 feet on an 80 degree skew across Sugar Run on SR 0058 Segment 0050 Offset 0000 approximately 2 miles west of SR 322 at Jamestown (Greenville West, PA Quadrangle N: 18.4 inches; W: 14.6 inches) located in Greene Township, **Mercer County**.

**E62-356. Encroachment. PA Electric Company d/b/a GPU Energy**, 2800 Pottsville Pike, Reading, PA 19640. To install a fiber optic cable and to operate and maintain the existing aerial NWS electric distribution and transmission line supported by H-pole towers across the Allegheny River approximately 0.4 mile upstream of the Pennsylvania Avenue Bridge in Warren (Clarendon, PA Quadrangle N: 13.5 inches; W: 15.0 inches) located in Glade and Mead Townships, **Warren County**.

**E62-357. Encroachment. Mead Township**, R. D. 1, Box 1226-A, Clarendon, PA 16313. To modify and maintain the existing 14-foot 2-inch-wide by 3-foot 11-inch-high corrugated steel plate box culvert in Sixmile Run on Sixmile Run Road approximately 2 miles east of SR 6 at the village of Tiona (Clarendon, PA Quadrangle N: 2.5 inches; W: 5.0 inches) located in Mead Township, **Warren County**. Modification includes extension of the structure by feet upstream and downstream, new headwall, wingwalls and minor channel work within 20 feet of the structure.

## ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

The Department of Environmental Protection has taken the following actions on previously received permit appli-

cations and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, Pa 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provide 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.

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

*Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Permit No. 5899401. Sewerage. Monteforte Enterprises**, R. R. 2, Box 34A, New Milford, PA 18834. Permit to construct and operate a sewage treatment plant, located in New Milford Township, **Susquehanna County**.

**NPDES Permit No. PA-0041742. Sewerage. Nazareth Borough Municipal Authority**, 872 Tatamy Road, P. O. Box A, Nazareth, PA 18064, is authorized to discharge from a facility located in Lower Nazareth Township, **Northampton County**.

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

**WQM Permit No. 1795408-A37. Sewerage. Bradford Township**, P. O. Box 79, Woodland, PA 16881. Renewal granted for permit to install a treatment system to serve the new home to be built. The design was previously approved on October 19, 1999 as a pilot program. Facility located at Bradford Township, **Clearfield County**.

**NPDES Permit No. PA0111945. Industrial waste. Ward Manufacturing Inc.**, P. O. Box 9, Blossburg, PA 16912-0009. Renewal granted to NPDES industrial waste to discharge from the three plants in Blossburg Borough. Facility located at Blossburg Borough, **Tioga County**.

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

**NPDES Permit No. PA0003042-A1. Industrial waste. Welland Chemical, Inc.**, P. O. Box 26, Mill Street, Newell, PA 15466, is authorized to discharge from a facility located at the Newell Works, Newell Borough, **Fayette County** to receiving waters named Monongahela River.

**NPDES Permit No. PA0032425. Sewerage. DCNR—Bureau of State Parks**, Ohiopyle State Park, P. O. Box 105, Dinnerbell Road, Ohiopyle, PA 15470-0105, is authorized to discharge from a facility located at Ohiopyle State Park Campground Sewage Treatment Plant,

Stewart Township, **Fayette County** to receiving waters named Unnamed Tributary of Youghiogheny River.

**NPDES Permit No. PA0216747.** Sewage. **Consol PA Coal Company**, Waynesburg Operations, P. O. Box 174, Graysville, PA 15337, is authorized to discharge from a facility located at West Finley Portal STP, West Finley Township, **Washington County** to receiving waters named Drainage Swale to Robinson Fork.

**Permit No. 0291412-A1.** Sewerage. **Ott Enterprises, Inc.**, 208 Rivercrest Drive, Coraopolis, PA 15108. Construction and operation of a tablet chlorination system located in Borough of Sewickley, **Allegheny County** to serve the Woodland Estates STP.

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

**NPDES Permit No. PA0221210.** Sewage. **Faith Baptist Church of Albion**, 11311 State Route 18, Albion, PA 16401-0013, is authorized to discharge from a facility located in Conneaut Township, **Erie County** to an unnamed tributary to Conneaut Creek.

**NPDES Permit No. PA0002038.** Industrial waste. **OMG Americas**, Two Mile Run Road, Franklin, PA

16323, is authorized to discharge from a facility located in Sugarcreek Borough, **Venango County** to the Allegheny River, Two Mile Run and Rale Run.

**NPDES Permit No. PA0222950.** Sewage, **Joseph C. Cochran and Susan Losey**, 52 Hathaway Lane, Sheffield, PA 16347, is authorized to discharge from a facility located in Sheffield Township, **Warren County** to Unnamed tributary to the South Branch of Tionesta Creek.

**WQM Permit No. 6299412.** Sewerage, **Joseph C. Cochran and Susan Losey SRSTP**, 52 Hathaway Lane, Sheffield, PA 16347. Construction of Joseph C. Cochran and Susan Losey SRSTP located in Sheffield Township, **Warren County**.

**INDIVIDUAL PERMITS**

**(PAS)**

The following NPDES Individual Permits for discharges of stormwater from construction activities have been issued.

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10S021-R	Blue Mountain Lake Associates, L.P. One Blue Mountain Lake E. Stroudsburg, PA 18301	Monroe County Stroud Township	Sambo Creek and a tributary to Brodhead Creek
PAS10U117	J. G. Petrucci Co., Inc. 171 Route 173 Suite 201 Asbury, NJ 08802	Northampton County Forks Township	Bushkill Creek

*Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.*

**PAS-10-4507.** Individual NPDES. **James F. Knarr**, Rt. 322, Box 577, Milroy, PA 17063. To implement an erosion and sedimentation control plan for the construction of a combination commercial, single family lots and multifamily dwelling subdivision known as Taylor Park Subdivision on 64.6 acres in Brown Township, **Mifflin County**. The project is located on the west side of SR 0322 at the community of Church Hill (Burnham, PA Quadrangle N: 11.7 inches; W: 14.0 inches). Drainage will be to an unnamed tributary to Tea Creek. (HQ-CWF).

*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>
PAS10F079	PA Dept. of Transportation 1924-30 Daisy St. Clearfield, PA 16830	Patton, Huston, Worth, Taylor Townships, Centre County, Snyder Township, Blair County	N. Bald Creek, S. Bald Eagle, Buffalo Run

**INDIVIDUAL PERMITS**

**(PAR)**

**Approvals to Use NPDES and Other General Permits**

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permits to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, 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 (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated

the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8, and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

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 arrangement made for copying at the contact office noted.

The Department has acted on the following requests for coverage under the specified General Permit as follows:

*List of*

*General Permit Type*

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional 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
PAG-10	General Permit for Discharges Resulting From Hydrostatic Testing of Tanks and Pipelines

*General Permit Type—PAG-2*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Northampton County Lehigh Township	PAR10U125	Richard Becker 4691 Maple Drive Walnutport, PA 18088	Hokendauqua Creek	Northampton CD (610) 746-1971
Butler County Buffalo Township	PAS10E069	High Point Plan of Lots Cabot Resources 700 Ekastown Rd. Sarver, PA 16055	Little Buffalo Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Luzerne County Jenkins Township	PAR10R177	United Methodist Homes For the Aging 700 Harry L. Drive Suite 300 P. O. Box 350 Johnson City, NY 13790	Susquehanna River	(570) 674-7991
Lackawanna County Dickson City Borough	PAR10N091	Keystone Property Assoc., LLC 2 Heathcote Avon, CT 06001	Unnamed Tributary to Lackawanna River	(570) 281-9495
Oxford Township Adams County	PAR-10-0094	Delbert Piper and Larry Piper 20 Kevin Drive New Oxford, PA 17350	S. Branch of Conewego Creek	Adams County CD 57 North Fifth Street Gettysburg, PA 17325 (717) 334-0636
Robeson Township Berks County	PAR-10-C293	High Point Lake High Point Baptist Chapel P. O. Box 188, Chapel and Furnace Rds. Geigertown, PA 19523	Hay Creek	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
West Cocalico Township Lancaster County	PAR-10-O-393	Daniel E. Martin 1850 W. Rt. 897 Denver, PA 17517	Unt. Little Cocalico Creek	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361

## NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
East Hempfield Township Lancaster County	PAR-10-O-401	Wawa Inc. 260 W. Baltimore Pike Wawa, PA 17543	Little Conestoga Creek	Lancaster County CD 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Ephrata Township Lancaster County	PAR-10-O-403	New Joy Brethren in Christ Church 206 Marion Terrace Ephrata, PA 17543	Cocalico Creek	Lancaster County CD 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Mount Joy Township Lancaster County	PAR-10-O-417	Remax Cornerstone Realty 222 S. Market Street Suite 101 Elizabethtown, PA 17022	Chickies Creek	Lancaster County CD 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
West York Borough West Manchester Township York County	PAR-10-Y403	New Middle School West York Area School District 2605 W. Market Street York, PA 17404	Codorus Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Manchester Township York County	PAR-10-Y419	Farmbrook Industrial Park, Lot 402 Manchester Business Park Assoc. Box 131 AA, R. D. 1 Seven Valleys, PA 17360	Unt. to Little Conewago Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
York Township York County	PAR-10-Y414	Yorktown Heights MGM Enterprises One Waterford Professional Center York, PA 17402	Mill Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430

*General Permit Type—PAG-3*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Greene County Perry Township	PAR116120	Swanson Plating Co., Inc. 2680 Smithtown Road Morgantown, WV 26508-2494	Dunkard Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Pittsburgh	PAR156103	The Valspar Corporation 2000 Westhall Street Pittsburgh, PA 15233	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000



*General Permit Type—PAG-4*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Washington County Jefferson Township	PAG046195	Cheryl A. Czap Dennis F. Dorman, III 115 Dam Road Burgettstown, PA 15021	Tributary of Harmony Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Clearfield County Bradford Township	PAG045075	Lisa McGonigal R. R. 1, Box 507 Woodland, PA 16881	Unnamed tributary Millstone Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

*General Permit Type—PAG-9*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Greene Township Franklin County	PAG-09-3525	Rodger Wingert 2946 Black Gap Road Chambersburg, PA 17201	Wingert Farm Greene Township Franklin County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-10*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Statewide Use	PAG109601	The Peoples Natural Gas Co. 625 Liberty Avenue Pittsburgh, PA 15222	Statewide Use- Water body information to be provided to the Department before discharge	Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184
Statewide Use	PAG109602	CNG Transmission Corporation 445 W. Main Street P. O. Box 2450 Clarksburg, WV 26302	Statewide Use- Water body information to be provided to the Department before discharge	Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184

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

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

**Permit No. 0499503.** Public water supply. **Beaver County Commissioners**, 810 Third Street, Beaver, PA 15009-2196.

*Type of Facility:* Beaver County Jail water storage tank and transmission lines.

*Permit for Construction Issued:* October 28, 1999.

**Permit No. 6399506.** Public water supply. **Tri-County Joint Municipal Authority**, 26 Monongahela Avenue, P. O. Box 758, Fredericktown, PA 15333.

*Type of Facility:* Water storage tanks, booster station and transmission lines.

*Permit for Construction Issued:* November 10, 1999.

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

**Permit No. 0899501.** The Department issued a construction permit to **Wyalusing Personal Care Home**, R. R. 1, Box 186, Wyalusing, PA 18853, Wyalusing Township, **Bradford County**. This permit authorizes construction of Well No. 1, softeners, chlorinator, chlorine contact tanks, finished water storage tanks, booster pumps and distribution lines.

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

**Permit No. 2599505.** Public water supply. **Millcreek Township Water Authority**, 3608 W. 26th Street, Erie, PA 16505. Permit issued for the installation of four pump

stations to serve additional areas of Millcreek Township, specifically Echo Hills, in Millcreek Township, **Erie County**.

*Type of Facility:* Public water supply

*Consulting Engineer:* Arthur M. Kuholski, P.E., Lake Engineering, 140 Meadville Street, Edinboro, PA 16412.

*Construction Permit Issued:* November 9, 1999.

## **HAZARDOUS SITES CLEANUP**

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

**Notices of Prompt Interim Response under the Hazardous Sites Cleanup Act**

**Jacob Kline Cooperage Site**

**City of Allentown, Lehigh County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), has initiated a prompt response at the Jacob Kline Cooperage Site (site). This response has been undertaken under section 505(b) of HSCA. The site is located at 701—725 East Highland Street in the City of Allentown, Lehigh County, PA.

The site consists of wastes stored in 11 van-type truck trailers, two rolloff containers, and within drums on the ground next to these trailers. The wastes within the trailers are primarily contained within metal and plastic drums except for one of the trailers which contains a solid material stored directly in the trailer. The wastes are located in the northeast corner of the property near the intersection of E. Congress and N. Graham Streets. The site is located within a light industrial park and was used in the past by a drum recycling business, which operated on the property for many years until the early 1990s. An estimated 500 drums of waste will be addressed by this response action. Although there is no definitive inventory of the wastes contained in the drums at the site, it is believed that the wastes include oils, paints and solvents, corrosives, and other materials handled or generated by the drum reconditioners. Prior to the start of this response, the site was easily accessible and access was unrestricted.

The objective of the prompt interim response is to remove the hazardous substances and contaminants from the site and to safely dispose of them at offsite facilities that have regulatory approvals for the treatment and disposal. This response will eliminate the immediate and direct threats posed by these wastes to human health and safety and the environment.

Given the specific circumstances at this site, the Department determined that the removal of the hazardous substances and contaminants and offsite treatment and disposal is the only viable alternative to implement at this site. This response action is needed in a prompt manner to protect human health and the environment.

On November 1, 1999, the Department mobilized an interim response services contractor to the site to conduct a prompt interim response. The work at the site will include securing the work area, handling and staging of the waste containers, identification and analysis of the wastes, proper packaging of the wastes for offsite transportation, and the disposal of the wastes at approved facilities.

This notice is being provided under sections 505(b) and 506(b) of HSCA. The administrative record which contains the information that forms the basis and documents

the selection of this response action is available for public review and comment. The administrative record is located at the DEP Bethlehem District Office at 4530 Bath Pike (Route 512) in Hanover Township, Northampton County and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment from November 27, 1999, until February 25, 2000. Persons may submit written comments into the record during this time only, by sending them to James Kunkle, DEP Project Officer, at the DEP Bethlehem Office at 4530 Bath Pike (Route 512) in Hanover Township, Northampton County or by delivering them to this office in person.

In addition, persons may present oral comments on the remedy chosen by the Department, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing for January 11, 2000 at 2 p.m. at the Bethlehem Office. Persons wishing to present comments must register with James Kunkle before 4 p.m. on January 5, 2000, by telephone at (610) 861-2070 or in writing at the DEP Bethlehem District Office.

If no person registers to present oral comments by January 5, 2000, the hearing will not be held. Persons interested in finding out if individuals have registered, and if the hearing will be held, should contact James Kunkle.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should contact James Kunkle or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## **LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 2**

### **LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 2**

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**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 60260.101—60260.908).**

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

For further information concerning the final report, please contact the Environmental Cleanup Program Man-

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

The Department of Environmental Protection has received the following final reports:

*Northeast Regional Field Office: Joseph A. Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #65136S48011 (Gary Street, between 13th and 14th Streets), City of Bethlehem, Lehigh County.** PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #63020S47718 (North 6th Street Extension), Whitehall Township, Lehigh County.** PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**Anchor/Darling Valve Company,** City of Williamsport, **Lycoming County.** Anchor/Darling Industries, Inc., Suite 400, 3 Radnor Corp. Center, Radnor, PA 19807, has submitted a Remedial Investigation Report and Final Report concerning the remediation of site soils and groundwater contaminated with heavy metals, solvents, BTEX, PHCs and PAHs. The reports are intended to document remediation of the site to meet the site-specific standard.

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

**CKE, Rectifier Division,** White Township, **Indiana County.** CKE, Inc., 2866 Route 422 West, Indiana, PA 15701 and Alan D. Halperin, P.G., D. Appolonia Engineering, 275 Center Road, Monroeville, PA 15146, have submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals. The report is intended to document remediation of the site to meet the site-specific standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediations Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program**

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediations Standards Act (act). Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report, and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department of Environmental Protection has acted upon the following plans and reports:

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

**Brinkers Fuels Facility,** Doylestown Township, **Bucks County.** Matthew H. Jones, WIK Associates, Inc., P. O. Box 287, New Castle, DE 19720, has submitted a Final Report concerning remediation of site soil contaminated with BTEX. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 18, 1999.

**U. S. Plywood Corp. Facility (Former).** Eugene A. Belli, ENSR, 2005 Cabot Blvd., West Langhorne, PA 19047, has submitted a Baseline Remedial Report

concerning remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with lead, heavy metals solvents, BTEX and polycyclic aromatic hydrocarbons. The Report was approved by the Department on October 18, 1999.

**Kardon Park**, Downingtown Borough, **Chester County**. Richard C. Karr, McLaren Hart Inc., Blue Bell Executive Campus, 470 Norristown Road, Suite 300, Blue Bell, PA 19422, has submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals and groundwater contaminated with lead. The Report demonstrated attainment of site-specific standards and was approved by the Department on October 21, 1999.

**Five Tower Bridge**, Conshohocken Borough, **Montgomery County**. James M. Connor, P.G., Dames & Moore, 2325 Maryland Road, Willow Grove, PA 19090, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 21, 1999.

**Action Arms LTD (Mutual Pharmaceutical Co.)**, City of Philadelphia, **Philadelphia County**. Richard C. Karr, McLaren Hart Inc., Blue Bell Executive Campus, 470 Norristown Road, Suite 300, Blue Bell, PA 19422, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with pesticides, solvents and petroleum hydrocarbons. The Report demonstrated attainment of Statewide health, background and site-specific standards and was approved by the Department on October 22, 1999.

**Martin E. Braam, III Property**, Bensalem Township, **Bucks County**. Richard C. Parker, Esq., 175 Strafford Avenue, Suite 220, Wayne, PA 19087, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The Report was withdrawn by the applicant and returned to the applicant on October 26, 1999.

**Former Service Station—102 Bala Avenue**, Lower Merion Township, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soil contaminated with lead, solvents and polycyclic aromatic hydrocarbons. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 26, 1999.

**Keystone Financial Bank, NA**, Kennett Square Borough, **Chester County**. Marco Droese, P.G., Mulry & Cresswell Environmental Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX and petroleum hydrocarbons; and groundwater contaminated with BTEX and petroleum hydrocarbons. The Report demonstrated attainment of Statewide health and site-specific standards and was approved by the Department on October 28, 1999.

**Serena, Inc. & Sernapa, (Former O'Brien Machinery Site)**, Downingtown Borough, **Chester County**.

Janet S. Kole, 900 Haddon Avenue, Suite 412, Collingswood, NJ 08108, has submitted a Final Report concerning remediation of site soil contaminated with benzo(a)pyrene. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on November 1, 1999.

**Serena, Inc. & Sernapa, (Former O'Brien Machinery Site)**, Downingtown Borough, **Chester County**. Janet S. Kole, 900 Haddon Avenue, Suite 412, Collingswood, NJ 08108, has submitted a Final Report concerning attainment of site soil contaminated with lead and arsenic. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on November 2, 1999.

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

**Johnstown Corporation (AOC-1)**, Johnstown, **Cambria County**. Bryan I. Fitzpatrick, QST Environmental, 5205 Militia Hill Road, Plymouth Meeting, PA 19642, has submitted a final report concerning remediation of site soil and groundwater contaminated with PHCs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on October 12, 1999.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit ID No. 100277**. Sanitary Landfill, **Westmoreland Waste, LLC**, 1428 Delberts Drive, Unit 2, Monongahela, PA 15063. Operation of a municipal waste landfill in Rostraver Township, **Westmoreland County**. Permit modification to expand the facility boundaries by 102.66 acres to encompass a total area of 270.0 acres issued in the Regional Office on November 8, 1999.

**Permit ID No. 301326**. **LubriClear of Pittsburgh, L.P.**, 1155 William Pitt Way, Pittsburgh, PA 15238. Operation of a waste oil processing facility in Gilpin Township, **Armstrong County**. Permit issued in the Regional Office on November 4, 1999.

## AIR QUALITY

### OPERATING PERMITS

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

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

**15-313-050A: Cauldron Process Chemistry** (383 Phoenixville Pike, Malvern, PA 19355), on November 5, 1999, for reactors, centrifuge, scrubber in Charlestown Township, **Chester County**.

**OP-46-0035: SmithKline Beecham Pharm., Inc.** (709 Swedeland Road, King of Prussia, PA 19406), on November 10, 1999, for Facility VOCs/NOx RACT in Upper Merion Township, **Montgomery County**.

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

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

**OP-09-0087: Solkatronic Chemicals, Inc.** (351 Philadelphia Avenue, Morrisville, PA 19067), on November 5, 1999, for operation of a surface coating operation in Falls Township, **Bucks County**.

#### PLAN APPROVALS

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

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

**PA-46-0005K: Merck & Co., Inc.** (770 Sumneytown Pike, West Point, PA 19486), on November 5, 1999, for operation of Boiler No. 4 in Upper Gwynedd Township, **Montgomery County**.

**PA-23-0031: Mercy Fitzgerald Hospital** (1500 Lansdowne Avenue, Darby, PA 19023), on November 8, 1999, for operation of an MSB emergency generator in Darby Borough, **Delaware County**.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.*

**54-399-027: Goulds Pumps (PA), Inc.** (500 East Centre Street, Ashland, PA 17921), on November 8, 1999, for construction of AOD system with fabric collector in Ashland Borough, **Schuylkill County**.

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

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

**PA-15-0027B: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087), on October 28, 1999, for operation of a drum dryer in Tredyffrin Township, **Chester County**.

**PA-15-0027A: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087), on October 28, 1999, for operation of a drum dryer dust collector in Tredyffrin Township, **Chester County**.

**15-309-016A: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087), on October 28, 1999, for operation of an SCR System No. 1 in Tredyffrin Township, **Chester County**.

**PA-15-0015A: Sartomer Co., Inc.** (610 South Bolmar Street, West Chester, PA 19382), on October 28, 1999, for operation of an emergency generator in West Chester Borough, **Chester County**.

**PA-46-0025A: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428), on November 2, 1999, for operation of four prescrubbers in Upper Merion Township, **Montgomery County**.

**PA-46-0005E: Merck & Co., Inc.** (770 Sumneytown Pike, West Point, PA 19486), on November 2, 1999, for operation of a waste heat incinerator in Upper Gwynedd Township, **Montgomery County**.

**09-313-074B: Solkatronic Chemicals, Inc.** (351 Philadelphia Ave., Morrisville, PA 19067), on November 2, 1999, for operation of a specialty gas plant in Falls Township, **Bucks County**.

**23-302-127: Sunoco, Inc. (R&M)** (Delaware Ave. and Green Street, Marcus Hook, PA 19061), on November 2, 1999, for operation of Boiler No. 9 in Marcus Hook Borough, **Delaware County**.

**PA-15-0016B: Worthington Steel Co.** (45 N. Morehall Road, Malvern, PA 19355), on November 8, 1999, for operation of a coil coating line in East Whiteland Township, **Chester County**.

**PA-46-0025B: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428), on November 8, 1999, for operation of a hydrogenation reactor train in Upper Merion Township, **Montgomery County**.

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

#### Coal Permits Issued

**16940105. Original Fuels, Inc.** (P. O. Box 243, Punxsutawney, PA 15767). Renewal of an existing bituminous strip operation in Perry Township, **Jefferson County** affecting 220.0 acres. Receiving streams: Three unnamed tributaries to the Allegheny River. Application received: August 27, 1999. Permit issued: November 2, 1999.

**33940107. Fred A. Deemer, Jr.** (R. D. 1, Reynoldsville, PA 15851). Renewal of an existing bituminous strip operation in Washington and Winslow Townships, **Jefferson County** affecting 15.5 acres. Receiving streams: Two unnamed tributaries to Sandy Lick Creek. Application received: September 2, 1999. Permit issued: November 2, 1999.

**33940106. Ed Hanslovan Coal Co., Inc.** (R. D. 2, Box 230, Morrisdale, PA 16858). Renewal of an existing bituminous strip and auger operation in Snyder and Washington Townships, **Jefferson County** affecting 169.3 acres. This renewal is issued for reclamation only. Receiving streams: Three unnamed tributaries to Rattlesnake Run and Rattlesnake Run. Application received: October 12, 1999. Permit issued: November 8, 1999.

*McMurray District Office, 3913 Washington Road, McMurray, PA 15317.*

**65921601. Seward Land & Development** (P. O. Box 363, Seward, PA 15954), to revise the permit for the Sugar Run Coal Yard in St. Clair Township, **Westmoreland County**, postmining land use change, no additional discharges. Permit issued November 5, 1999.

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

**26880106R. Theodore R. Genovese II Coal Co.** (General Delivery, Box 360, Chalk Hill, PA 15421). Renewal permit issued for continued operation and reclamation of a bituminous surface auger mine located in Springhill Township, **Fayette County**, affecting 72.9 acres. Receiving streams: unnamed tributary to the Monongahela River and unnamed tributary to Georges Creek. Renewal application received: August 11, 1999. Renewal permit issued: November 9, 1999.

**65970901. Ralph Smith & Son, Inc.** (R. R. 1, Box 184C, Derry, PA 15627). Permit issued for commencement, operation and reclamation of an incidental coal extraction permit located in Salem Township, **Westmoreland County**, affecting 34.7 acres. Receiving streams: unnamed tributary to Porters Run to Beaver Run Reservoir. Application received: October 23, 1997. Permit issued: November 12, 1999.

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

**54840103R3. Shepco Coal Company** (P. O. Box 98, Hazleton, PA 18201), renewal of an existing anthracite surface mine operation in East Union and North Union Townships, **Schuylkill County** affecting 660.0 acres, receiving stream—none. Renewal issued November 8, 1999.

**49861311T. A. L. Coal Co.** (672 Bear Valley Avenue, Shamokin, PA 17872), transfer of an existing anthracite underground mine operation in Zerbe Township, **Northumberland County** affecting 1.4 acres, receiving stream—none. Transfer issued November 10, 1999.

**54900105C. Tuscarora Mines & Minerals Corp.** (P. O. Box 116, Tuscarora, PA 17982), correction to an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 20.0 acres, receiving stream—Schuylkill River. Correction issued November 12, 1999.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*  
*Small Noncoal (Industrial Minerals) Permits Issued*

**16992802. Lester C. Henry** (R. D. 1, Box 103, Emlenton, PA 16373). Commencement, operation and restoration of a small noncoal sandstone operation in Ashland Township, **Clarion County** affecting 7.0 acres. Receiving streams: None. Application received: August 2, 1999. Permit issued: October 29, 1999.

**25992802. Walter Kuhl** (9415 Peck Road, Erie, PA 16510). Commencement, operation and restoration of a small noncoal sand and gravel operation in Greene Township, **Erie County** affecting 5.0 acres. Receiving

streams: Unnamed tributary to Four Mile Creek. Application received February 4, 1999. Permit issued: October 29, 1999.

**301947-25992802-E-1. Walter Kuhl** (9415 Peck Road, Erie, PA 16510). Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 25 feet of Unnamed tributary to Four Mile Creek for the purposes of mining and support facility construction and maintenance in Greene Township, **Erie County**. Receiving streams: Unnamed tributary to Four Mile Creek. Application received: February 4, 1999. Permit issued: October 29, 1999.

**20992803. Elden Miller** (58 Putnam Street, Union City, PA 16438). Commencement, operation and restoration of a small noncoal sand and gravel operation in Bloomfield Township, **Crawford County** affecting 6.0 acres. Receiving streams: None. Application received: May 3, 1999. Permit issued: November 4, 1999.

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

**28992806. Snoko's Excavating & Paving, Inc.** (P. O. Box 247, Walnut Bottom, PA 17266), commencement, operation and restoration of a quarry operation in Southampton Township, **Franklin County** affecting 5.0 acres, receiving stream—none. Permit issued November 10, 1999.

**58990830. Peter Brozonis** (R. R. 3, Box 3426, Laceyville, PA 18623), commencement, operation and restoration of a bluestone quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued November 10, 1999.

**64990802. Brian W. Smith** (HC 1, Box 1156, Milanville, PA 18443), commencement, operation and restoration of a quarry operation in Damascus Township, **Wayne County** affecting 1.0 acre, receiving stream—none. Permit issued November 10, 1999.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*  
*Noncoal Permits Issued*

**25990303. Waste Management Disposal Service of PA, Inc.** (1121 Bordentown Road, Morrisville, PA 19067). Commencement, operation and restoration of a shale operation in Summit Township, **Erie County** affecting 77.6 acres. Receiving streams: Unnamed tributaries to Walnut Creek. Application received: March 2, 1999. Permit issued: November 2, 1999.

**302511-25990303-E-1. Waste Management Disposal Service of PA, Inc.** (1121 Bordentown Road, Morrisville, PA 19067). Application for a stream encroachment mine within 100 feet of unnamed tributaries to Walnut Creek and mine through unnamed tributaries 2 and 3 to Walnut Creek and reconstruct them as a single channel in Summit Township, **Erie County**. Receiving streams: Unnamed tributaries to Walnut Creek. Application received: March 2, 1999. Permit issued: November 2, 1999.

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

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, Pa 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provide 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.

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

*Permits Issued and Actions on 401 Certifications:*

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

**E15-626.** Encroachment. **Downingtown Borough**, 4-10 West Lancaster Avenue, Downingtown, PA 19335-2800. To perform minor grading and construct and maintain a bituminous walking trail system within the 100-year floodway and 100-year floodplain of the Brandywine Creek (WWF-MF). This work is associated with the proposed Brandywine Trail located in the vicinity of the intersection of Lancaster Avenue (S. R. 3070) and Brandywine Creek (Downingtown USGS Quadrangle N: 0.9 inch; W: 11.0 inches) in Downingtown Borough, **Chester County**.

**E23-388.** Encroachment. **Wolfson-Verrichia Group, Inc.**, 621 East Germantown Pike, Norristown, PA 19401. To install and maintain a 48-inch RCP outfall structure along Crum Creek (WWF) which will replace an existing 18-inch outfall structure. Work will also include some minor grading within the 100-year floodway of Crum Creek. This work is associated with site improvements at the proposed Eddystone Commons Commercial Development (former Baldwin Locomotive Plant), located just southeast of the intersection of Chester Pike (S. R. 0013) and Simpson Street (Bridgeport NJ-PA USGS Quadrangle N: 21.1 inches; W: 12.8 inches) in Eddystone Borough, **Delaware County**.

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

**E12-116.** Encroachment. **Mid-Cameron Authority**, 421 North Broad Street, Emporium, PA 15834. To construct and maintain a gravity sanitary sewer line across West Creek, a side channel of West Creek at three

locations, Day Run at two locations, Thayer Run, Lyons Run at two locations, Towner Run at two locations and across 10 wetlands. The sewer line begins at the western end of the Borough of Emporium (Emporium, PA Quadrangle N: 1.7 inches; W: 16.5 inches) and extends west along Route 120 to a location approximately 3 miles from the Borough (West Creek, PA Quadrangle N: 21.1 inches; W: 6.4 inches) in the Borough of Emporium and Shippen Township, **Cameron County**.

**E49-227.** Encroachment. **Terry and Alpha Strohecker**, R. R. 1, Herndon, PA 17830. To maintain an existing dike approximately 300 feet long by 8 feet high by 15 feet wide to help protect an agricultural field from stream water erosion. The project is located adjacent to the top of bank of Mahantango Creek (Klingerstown, PA Quadrangle N: 5.3 inches; W: 16.8 inches) in Jordan Township, **Northumberland County**. The project will not impact on wetlands or waterways. Mahantango Creek is a Warm Water Fisheries Stream. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E53-332.** Encroachment. **Galen Zeger**, 2156 Buchanan Trail East, Greencastle, PA 17225. To 1) maintain a gated public stream crossing consisting of three corrugated metal pipes 10 feet in diameter and 30 feet long; 2) to construct and maintain a 3-foot deep by 20-foot wide trapezoidal grassed overflow swale in the left side approach fill in the West Branch of Pine Creek, located approximately 2 miles south of Galeton on S. R. 2002 (Galeton, PA Quadrangle N: 14.5 inches; W: 12.0 inches) in West Branch Township, **Potter County** to access rented summer camps and hunting grounds. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E56-291.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge having a normal clear span of 43.7 feet and an underclearance of 11.4 feet across Paint Creek (CWF). The bridge is located on S. R. 1033, Section 03S, Segment 0170, Offset 0430 (Windber, PA Quadrangle N: 19.7 inches; W: 10.8 inches) in Windber Borough, **Somerset County**.

**E63-472.** Encroachment. **Raymond H. Patterson**, 71 Patterson Road, Eighty-Four, PA 15330. To construct and maintain a 72-inch diameter corrugated metal pipe (invert depressed 12 inches) and two parallel 24-inch diameter overflow pipes in a tributary to Mingo Creek (HQ-TSF) for the purpose of providing access for farm equipment. The project is located along Patterson Road approximately 3,000 feet north of Mingo Creek Road (Hackett, PA Quadrangle N: 14.5 inches; W: 11.0 inches) in Nottingham Township, **Washington County**.

**E65-733.** Encroachment. **Pennsylvania Department of Conservation and Natural Resources**, Division of Design, P. O. Box 8552, Harrisburg, PA 17105-8552. To remove the existing superstructure and to construct and maintain a new superstructure of a bridge having a clear span of 2.438 m and an underclearance of 2.202 across Rock Run (HQ-CWF) located on Linn Run Road (T958) in Linn Run State Park at a point approximately 4.4 km south of the intersection of S. R. 381 and S. R. 2043. The project includes construction of a concrete jacket along the existing abutments and wingwalls (Ligonier, PA Quadrangle N: 6.1 inches; W: 15.0 inches) in Cook Township, **Westmoreland County**.

**E65-736.** Encroachment. **Pennsylvania Department of Conservation and Natural Resources**, Bureau of Forestry—Division of Design, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. To rehabilitate and maintain a bridge having a clear span of 4.61 m and an underclearance of 1.89 m across Grove Run (HQ-CWF) located on Linn Run Road (T-958) at a point approximately 4.8 km south of intersection of S. R. 2043 with S. R. 381 in Linn Run State Park. The project includes removing the existing steel I-beam deck and replacing it with a glued laminated timber deck and installing riprap protection along the existing masonry abutments and approximately 18 feet of stream bank. Also to construct and maintain a temporary roadway crossing consisting of two 600 mm diameter pipe culverts during the construction (Ligonier, PA Quadrangle N: 5.1 inches; W: 14.1 inches) in Cook Township, **Westmoreland County**.

**E02-1266.** Encroachment. **Anthony Merante**, 3240 Brownsville Road, Pittsburgh, PA 15227. To construct and maintain a bridge having a span of 56.0 feet with a minimum underclearance of 6.0 feet across Streets Run (WWF) to provide access to the applicant's property which will consist of self storage units located approximately 2,300 feet northeast from the intersection of Prospect Road and Streets Run Road (Glassport, PA Quadrangle N: 20.0 inches; W: 10.5 inches) in West Mifflin Borough, **Allegheny County**.

**E65-730.** Encroachment. **Pennsylvania Department of Transportation**, P. O. Box 459, Uniontown, PA 15401-0459. To remove existing structures, construct and maintain new structures, relocate and maintain streams and impact wetlands as listed per Attachment A as part of the S. R. 0022, Section B07 widening project proposed for the purpose of improving roadway standards and transportation safety. The project starts at the western interchange of S. R. 0022 and S. R. 0119 (Saltsburg, PA Quadrangle N: 3.7 inches; W: 9.7 inches) and extends approximately 2 miles eastward in New Alexandria Borough, Derry and Salem Townships, **Westmoreland County**.

#### Attachment A

1. To remove the existing structure, to construct and maintain a dual bridge structure having three normal spans of 36.65 meters, 35.90 meters and 36.65 meters and an underclearance of 18.1 meters across Loyalhanna Creek (WWF) located on S. R. 0022, Station 23+875, and to construct, maintain and remove a temporary stream crossing consisting of six 1.22 meter diameter pipes in Loyalhanna Creek (WWF) for the purpose of constructing the new structure.

2. Structure 2: to operate and maintain the existing 71-meter long concrete arch culvert, to construct and maintain 0.3-meter depressed 4.862-meter x 3.505-meter concrete box culvert extensions extending 60 meters upstream from the inlet and 9 meters downstream from the outlet in an unnamed tributary to Loyalhanna Creek (WWF) and to construct and maintain and remove a temporary stream crossing consisting of three 0.6-meter corrugated metal pipes in an unnamed tributary to Loyalhanna Creek (WWF) located on S. R. 0022, Station 23+228.

3. Structure 5: to operate and maintain the existing 30-meter long concrete arch culvert, to construct and maintain a 4.1-meter long, 0.3-meter depressed, 3.05-meter x 2.44-meter concrete box culvert extension at the outlet of the existing culvert in an unnamed tributary to Loyalhanna Creek (WWF) and to construct and maintain

and remove a temporary stream crossing consisting of two 0.6-meter corrugated metal pipes in an unnamed tributary to Loyalhanna Creek (WWF). Structure 5 is located on S. R. 0022, Station 24+786.7.

4. Structure 6: to operate and maintain the existing culvert and to construct and maintain a 4.8-meter long, 0.3-meter depressed, 3.05-meter x 2.135-meter concrete box culvert extension at the outlet of the existing culvert in an unnamed tributary to Loyalhanna Creek (WWF) located on S. R. 0022, Station 25+244.8.

5. Structure 7: to operate and maintain the existing culvert and to construct and maintain a 6.5-meter long, 0.3-meter depressed 3.05-meter x 2.135-meter concrete box culvert extension at the inlet of the existing culvert in an unnamed tributary to Loyalhanna Creek (WWF) located on S. R. 0981, Station 12+977.5.

6. To permanently place and maintain fill in 0.06 hectare of palustrine forested wetlands, 0.19 hectare of palustrine scrub/shrub wetlands, and 0.11 hectare of palustrine emergent wetlands.

7. To temporarily place and maintain fill in 0.28 hectare of palustrine forested wetlands, 0.242 hectare of palustrine scrub/shrub wetlands, and 0.291 hectare of palustrine emergent wetlands.

[Pa.B. Doc. No. 99-2008. Filed for public inspection November 24, 1999, 9:00 a.m.]

#### Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center. The "January 1999 Inventory" heading is the Governor's List of Non-regulatory 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 1999.

#### 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.

#### Draft Guidance—Substantive Revision—Extension of Open Comment Period

DEP ID: 274-0300-001 Title: Continuous Source Monitoring Manual (Revision Number 7) Description: The purpose of revising this guidance is to update require-



ments relative to monitoring system design and performance, testing, recordkeeping, reporting, and quality assurance for affected industrial and utility sources which are required to continuously monitor emissions of pollutants or operational parameters. Deadline for Comments: Extended until January 31, 2000 Anticipated Effective Date: March 31, 2000 Contact: Joseph Nazzaro at (717) 783-9247.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-2009. Filed for public inspection November 24, 1999, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Notice of Requests for Exceptions

Under 28 Pa. Code § 51.33 (relating to exceptions), the Department of Health (Department), gives notice that the following long-term care facilities have requested exceptions to specific requirements of the regulations for long-term care facilities, 28 Pa. Code § 201.2 et seq.

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.17 (relating to location):

Parkview Skilled Nursing Facility  
1331 East Wyoming Avenue  
Philadelphia, PA 19124

Montgomery Hospital Skilled Nursing Unit  
1301 Powell Street  
P. O. Box 992  
Norristown, PA 19404-0992

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Progressive Care Center@Hamot  
201 State Street  
Erie, PA 16550

Somerset Hospital Center for Health  
225 South Center Avenue  
Somerset Borough, PA 15501

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.22(c) and (k) (relating to prevention, control and surveillance of tuberculosis)

UPMC Horizon TCU—Greenville  
110 N. Main Street  
Greenville, PA 16125

UPMC Horizon TCU—Shenango  
2200 Memorial Drive  
Farrell, PA 16121

UPMC Passavant Subacute Unit  
9100 Babcock Boulevard  
Pittsburgh, PA 15237

Meadville Medical Center  
1034 Grove Street  
Meadville, PA 16335

Northwest Medical Center TCU  
174 East Bissell Avenue  
P. O. Box 1068  
Oil City, PA 16301

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

The Baptist Home  
8301 Roosevelt Boulevard  
Philadelphia, PA 19152

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25(d) (relating to kitchen):

Skilled Nursing Unit—Greene County Memorial Hospital  
Bonar Avenue and Seventh Street  
Waynesburg, PA 15370

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Skilled Nursing Unit—Greene County Memorial Hospital  
Bonar Avenue and Seventh Street  
Waynesburg, PA 15370

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(a) (relating to bathing facilities):

Skilled Nursing Unit—Greene County Memorial Hospital  
Bonar Avenue and Seventh Street  
Waynesburg, PA 15370

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(c) (relating to bathing facilities):

Foulkways@Gwynedd  
1120 Meetinghouse Road  
Gwynedd, PA 19436

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.38(c) and (d) (relating to toilet facilities):

Skilled Nursing Unit—Greene County Memorial Hospital  
Bonar Avenue and Seventh Street  
Waynesburg, PA 15370

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

Those persons who wish to comment on 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 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

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

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 99-2010. Filed for public inspection November 24, 1999, 9:00 a.m.]

### Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on December 8, 1999, at 10 a.m. in Room 812, Health & Welfare Building, Seventh & Forster Streets, Harrisburg, PA.

This meeting is subject to cancellation without notice.

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

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 99-2011. Filed for public inspection November 24, 1999, 9:00 a.m.]

Department as to the reason for its occurrence and the steps that the health care facility shall take to rectify the situation.

Under 28 Pa. Code § 601.13, any owner of a home health care agency shall immediately report to the Department, by phone and written follow up report, any action by the agency that causes an interruption or cessation of services.

Questions or inquiries concerning this notice should be sent to: Helen Burns, Acting Director, Bureau of Facility Licensure and Certification, 930 Health and Welfare Building, Harrisburg, PA 17108, or call V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 99-2012. Filed for public inspection November 24, 1999, 9:00 a.m.]

### Required Notifications to the Department of Health

In accordance with 28 Pa. Code § 101.196 and § 201.23 enacted under the Health Care Facilities Act adopted by the Commonwealth at 35 P. S. § 448.801 et seq., any acute care general hospital and long term care facility which intends to close is to give written notice of such intent to the Department, not less than 90 days prior to the anticipated date of closing. The notice shall include a contingency plan which addresses the following:

—A transition plan for the closure of patient care units including the orderly transfer or discharge of patients and their medical record information;

—The current status of payments to vendors who provide supplies and/or services to patients;

—The policy and procedure for the diversion of emergency room admissions;

—The policy and procedure for the restriction of new admissions;

—The policy and procedure for the disposition of pharmaceuticals including controlled substances;

—The policy and procedure for the disposition and handling of biomedical, hazardous radioactive waste;

—A communication plan which includes providing information to patients, employees, the community, fire, safety and ambulance companies, vendors, government officials and relevant government agencies.

Under 28 Pa. Code § 51.3(c), any health care facility which intends to reduce the number of operational beds (from the date of the last survey) or to cease providing an existing health care service, which would include such things as closing an obstetrical/gynecological service, renal dialysis program, transplant program, outpatient clinic, home care department, is to provide written notice to the Department at least 60 days prior to the effective date it intends to cease providing an existing health care service or reduce its number of operational beds.

Under 28 Pa. Code § 51.3(f), if a health care facility is aware of a situation or the occurrence of an event at the facility which could seriously compromise quality assurance or patient safety, the facility shall immediately notify the Department in writing. The notification shall include sufficient detail and information to alert the

## DEPARTMENT OF PUBLIC WELFARE

### Office of Medical Assistance Programs; Increase in Family Planning Clinic Services and Payment for the ParaGuard I.U.D.

By this notice, the Department of Public Welfare (Department) announces the following increases in Family Planning Clinic Services, effective May 1, 1999:

1. Procedure Code W6003 (DepoProvera Visit—1 per year), Type of Service AR, has been added to the Medical Assistance Program Fee Schedule with a reimbursement rate of \$40.

2. Procedure Code Z9997 (Medication for vaginal infection) and Z9984 (Antibiotics for sexually transmitted diseases) may be billed with Procedure Codes W9181 (Comprehensive visit), W9184 (Routine revisit) and W9182 (Problem visit).

In addition, the Department is increasing the reimbursement rate for Procedure Code Z9999 (ParaGuard I.U.D.) to \$262 per occurrence for Type of Service 30 and AR.

The fiscal note was prepared under provision of section 612 of The Administrative Code of 1929 (71 P. S. § 232).

#### Contact Person

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

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-226. (1) General Fund; (2) Implementing Year 1999-00 is \$49,000; (3) 1st Succeeding Year 2000-01 is \$49,000; 2nd Succeeding Year 2001-02 is \$49,000; 3rd Succeeding Year 2002-03 is \$49,000; 4th Succeeding Year 2003-04 is \$49,000; 5th Succeeding Year 2004-05 is \$49,000; (4) 1998-99 Program—\$695.935 Million; 1997-98 Program—\$662.740 Million; 1996-97 Program—\$798.836 Million; (7) Medical Assistance—Outpatient; (8) recommends adoption. There are funds available in the Department's budget to cover the cost of this increase.

[Pa.B. Doc. No. 99-2013. Filed for public inspection November 24, 1999, 9:00 a.m.]

### Payments to Nursing Facilities; 1998-1999 Final Rates

The purposes of this notice are to announce: the final payment rates for nursing facilities beginning July 1, 1998, October 1, 1998, January 1, 1999 and April 1, 1999; the MDS 2.0 Transition Payments for FY 1998-1999; and the reconciliation of interim rates for FY 1998-1999.

Proposed rate notices and information concerning the MDS 2.0 Transition Payments and interim rates were published at 29 Pa.B. 1444 (March 13, 1999), 29 Pa.B. 1445 (March 13, 1999) and 29 Pa.B. 1790 (April 3, 1999).

The Department of Public Welfare (Department) is publishing this notice in accordance with 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997 (P. L. 105-33) and 42 C.F.R. 447.205.

#### *Rates and Payments*

The final rates for July 1, 1998, October 1, 1998, January 1, 1999 and April 1, 1999, and information concerning the MDS 2.0 Transition Payments and interim rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout this Commonwealth, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

#### *Methodology*

The methodology that the Department used to set the final rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan. The methodology for the MDS 2.0 Transition Payments is contained in the Commonwealth's approved Title XIX State Plan.

#### *Justification*

The regulations at 55 Pa. Code Chapter 1187 and/or the Commonwealth's approved Title XIX State Plan require the establishment of final rates and the MDS 2.0 Transition Payments.

#### *Background*

In April 1999, the Department announced its intention to revise payment rates and make MDS 2.0 Transition Payments for Medical Assistance (MA) nursing facility services based on comments received concerning earlier notices and ongoing discussions with the nursing facility trade associations. (See 29 Pa.B. 1790 (April 3, 1999)). The Department also established interim rates by which it would pay for MA nursing facility services pending the issuance of final rates and MDS 2.0 Transition Payments for FY 1998-99.

The comments received concerning the payment rates and the discussions with the nursing facility trade associations focused on the Department's use of quarterly assessment data to calculate case-mix indices (CMIs) for price and rate-setting purposes. As a result of these discussions, the Department decided to recalculate nursing facility CMIs for picture dates commencing February 1998 using only resident data reported for admission, annual and significant change assessments. The final rates announced by this notice are based on the recalculated MA CMIs.

As also announced in the April 3, 1999 notice, the Department submitted a State Plan Amendment regarding the MDS 2.0 Transition Payments. (See 29 Pa.B. 1790). As indicated in that notice, the purpose of the MDS 2.0 Transition Payments is to minimize any negative impact the MDS 2.0 assessment instrument may have on nursing facility payment rates for the FY 1998-99. On June 30, 1999, the Department received approval of the State Plan Amendment relating to MDS 2.0 Transition Payments. Nursing facility providers and other interested parties may refer to the notice at 29 Pa.B. 1790 (April 3, 1999) for a detailed description of the MDS 2.0 Transition Payments.

The April 3, 1999 notice also announced the Department's intentions with regard to payments to nursing facility providers during the period between the announcement of proposed rates and the establishment of final rates for each quarter beginning July 1, 1998 through June 30, 1999. (See 29 Pa.B. 1790). Consistent with that notice, the Department will reconcile each facility's interim payments for FY 1998-99 based on its final rates and any MDS 2.0 Transition Payment to which a facility may be entitled as indicated in the April 3, 1999 notice (29 Pa.B. 1790).

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1998-1999, based on these final rates, is \$48.433 million (\$22.372 million in State funds).

Comments may be submitted to Tom Jayson, Policy Section, Department of Public Welfare, Division of Long Term Care Provider Services, P. O. Box 8025, Harrisburg, PA 17105. Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-227. (1) General Fund; (2) Implementing Year 1999-00 is \$22.372 Million; (3) 1st Succeeding Year 2000-01 is -0-; 2nd Succeeding Year 2001-02 is -0-; 3rd Succeeding Year 2002-03 is -0-; 4th Succeeding Year 2003-04 is -0-; 5th Succeeding Year 2004-05 is -0-; (4) 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; 1996-97 Program—\$591.910 Million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. There are funds available in the Department's budget to cover this one time rate adjustment.

[Pa.B. Doc. No. 99-2014. Filed for public inspection November 24, 1999, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Retention of Engineering Firms

### Westmoreland County

#### Project Reference No. 08430AG2450

The Department will retain an engineering firm to perform preliminary engineering, final design and services during construction (construction consultation, shop drawing review and plans recordation) for S. R. 0136, Section L01, the replacement of an existing concrete slab bridge over a branch of Little Sewickley Creek, in Hempfield Township, Westmoreland County. The estimated construction cost is \$400 thousand.

The selected firm will be required to: develop and evaluate roadway and structure improvement alternatives; perform field surveys; plot topography and cross sections; prepare design field view submission; prepare Categorical Exclusion Evaluation and other related documents; prepare submissions for utility verification and relocations engineering; develop erosion control details and narrative; prepare right-of-way plans; perform hydrologic and hydraulic analysis; obtain permits; prepare CEE Documentation and associated studies and reports; complete structure designs, prepare type, size and location reports, conduct soils investigations and prepare soil reconnaissance report and develop a core boring layout, prepare a foundation report and foundation design; develop traffic control plans and narratives; investigate utility involvement; provide materials for and participate in value engineering reviews; collect accident data and other traffic flow data; document engineering study findings and activities; perform alternative analysis to assess impacts and mitigation; investigate and design roadway drainage; prepare construction plans, specifications and estimate submission; provide project scheduling; participate in project partnering; coordinate and participate in public involvement and provide services during construction and other services that may be required to complete this project.

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

- a. Specialized experience and technical competence of the firm. The specific experience of individuals who constitute the firms will be considered.
- b. Understanding of the Department's requirements, Design Manuals, policies, procedures and specifications.
- c. Past record of performance with respect to cost control, work quality and ability to meet schedules.
- d. Location of the consultant with respect to the District office. This will include ability/provisions for quick response to District requests.
- e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten (10%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer  
Engineering District 12-0  
N. Gallatin Avenue Extension  
Uniontown, PA 15401

Attention: Mr. Michael E. Wedl, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Michael E. Wedl, P.E., District 12-0, at (724) 439-7257.

### Fayette County

#### Project Reference No. 08430AG2451

The Department will retain an engineering firm to perform preliminary engineering, final design and services during construction (construction consultation, shop drawing review and plans recordation) for S.R. 2027, Section B01, the replacement of an existing continuous riveted four span 114.3 meter long thru girder/floorbeam structure over CSX Railroad (dual tracks) located approximately 2.6 kilometers northeast of the City of Uniontown in North Union Township, Fayette County. The estimated construction cost is \$1,412,500.00.

The selected firm will be required to: develop and evaluate roadway and structure improvement alternatives; perform field surveys; plot topography and cross sections; prepare design field view submission; prepare Categorical Exclusion Evaluation and other related documents; prepare submissions for utility verification and relocations engineering; develop erosion control details and narrative; prepare right-of-way plans; perform hydrologic and hydraulic analysis; obtain permits; prepare CEE Documentation and associated studies and reports; complete structure designs, prepare type, size and location reports, conduct soils investigations and prepare soil reconnaissance report and develop a core boring layout, prepare a foundation report and foundation design; develop traffic control plans and narratives; investigate utility involvement; provide materials for and participate in value engineering reviews; collect accident data and other traffic flow data; document engineering study findings and activities; perform alternative analysis to assess impacts and mitigation; investigate and design roadway drainage; prepare construction plans, specifications and estimate submission; provide project scheduling; participate in project partnering; coordinate and participate in public involvement and provide services during construction and other services that may be required to complete this project.

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

- a. Specialized experience and technical competence of the firm. The specific experience of individuals who constitute the firms will be considered.
- b. Understanding of the Department's requirements, Design Manuals, policies, procedures and specifications.

c. Past record of performance with respect to cost control, work quality and ability to meet schedules.

d. Location of the consultant with respect to the District office. This will include ability/provisions for quick response to District requests.

e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten (10%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer  
Engineering District 12-0  
N. Gallatin Avenue Extension  
Uniontown, PA 15401

Attention: Mr. Michael E. Wedl, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Michael E. Wedl, P.E., District 12-0, at (724) 439-7257.

#### Fayette County

##### Project Reference No. 08430AG2452

The Department will retain an engineering firm to perform preliminary engineering, final design and services during construction (construction consultation, shop drawing review and plans recordation) for S. R. 0281, Section E00, the replacement of an existing 9750 mm single span non-composite steel cover-plated I-Beam bridge located approximately 11 meters south of intersection of S. R. 0281 with TR-880 (Taylor Road) and TR-380 (Tub Run Road), Henry Clay Township, Fayette County. The estimated construction cost is \$400 thousand.

The selected firm will be required to: develop and evaluate roadway and structure improvement alternatives; perform field surveys; plot topography and cross sections; prepare design field view submission; prepare Categorical Exclusion Evaluation and other related documents; prepare submissions for utility verification and relocations engineering; develop erosion control details and narrative; prepare right-of-way plans; perform hydrologic and hydraulic analysis; obtain permits; prepare CEE Documentation and associated studies and reports; complete structure designs, prepare type, size and location reports, conduct soils investigations and prepare soil reconnaissance report and develop a core boring layout, prepare a foundation report and foundation design; develop traffic control plans and narratives; investigate utility involvement; provide materials for and participate in value engineering reviews; collect accident data and other traffic flow data; document engineering study findings and activities; perform alternative analysis to assess impacts and mitigation; investigate and design roadway

drainage; prepare construction plans, specifications and estimate submission; provide project scheduling; participate in project partnering; coordinate and participate in public involvement and provide services during construction and other services that may be required to complete this project.

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

a. Specialized experience and technical competence of the firm. The specific experience of individuals who constitute the firms will be considered.

b. Understanding of the Department's requirements, Design Manuals, policies, procedures and specifications.

c. Past record of performance with respect to cost control, work quality and ability to meet schedules.

d. Location of the consultant with respect to the District office. This will include ability/provisions for quick response to District requests.

e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten (10%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer  
Engineering District 12-0  
N. Gallatin Avenue Extension  
Uniontown, PA 15401

Attention: Mr. Michael E. Wedl, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Michael E. Wedl, P.E., District 12-0, at (724) 439-7257.

#### Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties

##### Project Reference No. 08430AG2453

The Department will retain an engineering firm for an Open-End Contract to perform various engineering and/or environmental services on various projects located in Engineering District 5-0, that is Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$2.0 million. The Department reserves the option to extend the Contract duration and/or increase the maximum amount.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evalua-

tion of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Specialized experience and technical competence of firm. The specific experience of individuals who constitute the firms will be considered.
- b. Past record of performance (timeliness, responsiveness, quality, cost control, ability to meet schedules).
- c. Diversity of experience and technical competence.
- d. Location of engineering firm with respect to District Office. This will include ability/provisions for quick responses to District requests.
- e. Relative size of the firm to potential assignments.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; communications technology assistance (i.e., web-page development and management, legislative liaison) and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents;

Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103

Attention: Mr. James R. McGee, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. James R. McGee, P.E., District 5-0, at (610) 798-4158.

#### **Allegheny and Beaver Counties**

#### **Project Reference No. 08430AG2454**

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eleven (11) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

Group Jobs 2000: 111-00-7135-1, 111-00-7135-2,  
111-00-7135-3, 111-00-7135-4,  
111-00-7135-5, 111-00-7135-6,  
112-00-7135-1

These Group Jobs involve milling, resurfacing, base repairs, manual patching, shoulders and bituminous gutters, drainage, guiderail and maintenance and protection of traffic to various state routes in Allegheny and Beaver Counties.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in Maintenance and Protection of Traffic, milling, asphalt resurfacing, shoulder work, drainage, guiderail, and minor excavation. (References for each inspector should be made available upon request).

- b. Understanding of Department's requirements, policies, and specifications.
- c. Past Performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.

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

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	7 (5)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

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

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

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; two (2) inspectors certified in computer documentation and perform other duties as may be required.

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

- 1 Nuclear Densometer Gauge/License \*\*\*\*
- 1 Vehicle for the Transportation of that Nuclear Gauge \*\*\*\*
- 7 Cellular Telephones (Two-way Radios also acceptable)

\*\*\*\* At point of need when needed

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten percent (10%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI	9

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Raymond S. Hack, P.E., District Engineer  
 Engineering District 11-0  
 45 Thoms Run Road  
 Bridgeville, PA 15017  
 Attention: Design Liaison Unit

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian A. Krul, District 11-0, at (412) 429-3801.

**Allegheny County**

**Project Reference No. 08430AG2455**

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately seventeen (17) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S.R. 0279, Section A52, Allegheny County

Local Name: Fort Pitt Bridge—Phase B

This is the second phase (Phase B) of the Fort Pitt Bridge Rehabilitation Project. It includes the rehabilitation of S.R. 0279 Northbound as well as the Northbound ramps and Portal Bridge. Bridges will receive new decks, steel repairs and painting. The Portal Bridge will receive a new latex deck overlay, new parapets and cosmetic repairs. There will be bituminous reconstruction on the roadways. New lighting and signing will also be placed throughout the project. The Fort Pitt Bridge Rehabilitation Project is located at the Point Interchange in the City of Pittsburgh, Allegheny County.

S. R. 0279, Section A53, Allegheny County

Local Name: Fort Pitt Tunnels—Phase B

This is the tunnel work on the second phase (Phase B) of the Fort Pitt Bridge Rehabilitation Project. This involves the rehabilitation of the Fort Pitt Tunnels including electrical, ventilation and safety systems. This work will prepare the tunnels for the replacement of the lighting system in the next phase, Phase C.

2. S. R. 0279, Section A06, Allegheny County

Local Name: Fort Pitt Bridge—Phase C

This is the final phase (Phase C) of the Fort Pitt Bridge Rehabilitation Project. Bridge work will consist of rehabilitation to the main river span of the Fort Pitt Bridge and parts of the approach spans including the Eastbound Interstate 376 viaduct. Work will include complete deck replacement and repairs, modifications and replacement of some superstructure and substructure components. The Fort Pitt Bridge Rehabilitation Project is located at the Point Interchange in the City of Pittsburgh, Allegheny County.

S. R. 0279, Section A07, Allegheny County

Local Name: Fort Pitt Tunnels—Phase C

This is the tunnel work of the final phase (Phase C) of the Fort Pitt Bridge Rehabilitation Project. Tunnel work will consist of installation of a new lighting system in the Fort Pitt Tunnels along with new safety and surveillance systems. New barriers will replace the existing walkways and bulb gutters. The brick pavement will be replaced with a bituminous wearing surface. Repairs will be made to damaged ceilings and walls. Parts of the ventilation system will be upgraded and refurbished. Numerous repairs, upgrades, and updates will be made to other miscellaneous components throughout the tunnel.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in Maintenance and Protection of Traffic, bridge rehabilitation, deck replacement, concrete paving, asphalt paving, and signing and lighting. Inspectors should also have a background in tunneled structures including lighting, electrical, ventilation and safety systems, and struc-

tural repairs. (References for each inspector should be made available upon request).

- b. Understanding of Department's requirements, policies, and specifications.
- c. Past Performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.

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

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	2 (2)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	4 (4)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	15 (11)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	5 (0)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54



<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47
(TA)	\$24.39

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

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

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; four (4) inspectors certified in computer documentation and perform other duties as may be required.

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

- 1 Nuclear Densometer Gauge/License \*\*\*\*
- 1 Vehicle for the Transportation of that Nuclear Gauge \*\*\*\*
- 10 Cellular Telephones (Two-way Radios also acceptable)

\*\*\*\* At point of need when needed

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

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

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	3
TCIS	5
TCI	18

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Raymond S. Hack, P.E., District Engineer  
 Engineering District 11-0  
 45 Thoms Run Road  
 Bridgeville, PA 15017  
 Attention: Design Liaison Unit

The Letter of Interest submission for this project reference number must be received at the address listed

above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian A. Krul, District 11-0, at (412) 429-3801.

**Armstrong, Butler, Clarion, Indiana, and Jefferson Counties**

**Project Reference No. 08430AG2456**

The Department will retain an engineering firm for an Open-End Contract for various engineering services and environmental studies on various projects located in Engineering District 10-0, that is Armstrong, Butler, Clarion, Indiana, and Jefferson Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$2.0 million. The Department reserves the option to extend the duration and/or increase maximum amount of this Contract.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.
- b. Specialized experience and technical competence of firm.
- c. Available staffing for this assignment.
- d. Location of consultant in respect to the District.

The work and services required under this Contract may encompass a wide range of design and environmental efforts with the possibility of several different types of projects with short completion schedules. The emphasis of this Contract will be on the performance of various engineering services. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitations with minor approach work, roadway betterments (3R type,) minor capital improvement projects (bridges or roadways), and minor location studies.

The engineering work and services which may be required under this Contract include, but are not limited to, attend field views and prepare minutes; prepare submissions for field views and safety review meeting; field surveys; plot topography and cross sections; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, prepare hydraulic report for waterway approval; prepare bridge drawings; procure core boring; develop traffic control plans with narratives; provide the soils and foundation engineering report; investigate utility and property involvement; prepare and disseminate right of entry letters; prepare prints and information required for

a value engineering review; make the necessary investigations and adjustments to the design as a result of the value engineering review comments; conduct a value engineering review; make all necessary contact with railroad officials and procure railroad related costs, permits, insurance, approvals, and other required information; collect traffic signal timing and accident data; perform traffic counts and speed delay studies; prepare plans for signal design and implementation of signal interconnections; evaluate alternatives using benefit/cost analysis; document study activities and findings; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; surface water and ground water hydrology; stream enhancements/relocations; terrestrial ecology; wetlands; soils; geology; farmlands; visual quality; socio-economic; cultural; Section 4(f) and Section 106 documents, threatened and endangered species, including the services of a qualified malacologist; hazardous waste investigations; public involvement coordination; and other related studies not identified above. The environmental studies will be conducted in accordance with Department policy and accepted analysis techniques and methodologies.

The firm may also be required to perform any or all, but not limited to the following in order to ensure a complete environmental investigation has been performed: provide all necessary environmental services, material, and equipment necessary to collect, analyze, and organize data; assess impacts; conduct agency and public involvement activities; and prepare reports and design mitigation plans.

The reports and other graphic material to be prepared may include, but are not limited to, early coordination and scoping correspondence; plans of study; meeting minutes; public meetings and hearing presentations; handouts and displays; technical basis reports; NEPA environmental documents; Section 106 documents; Section 4(f) evaluations; mitigation plans and reports; and wetland and floodplain findings.

The firm may be required to perform design phase partnering and facilitation moderation on projects designed by consultants and/or in-house forces.

The firm may also be required to perform landscape architect duties which involve preparing landscaping plans, terrestrial mitigation plans, wetland mitigation planting plans, and other associated duties.

The format and content of all documents, plans, and Specifications will be consistent with applicable State and Federal regulations and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Richard H. Hogg, P.E., District Engineer  
Engineering District 10-0  
Route 286 South, P. O. Box 429  
Indiana, PA 15701  
Attention: Mr. Shaun E. Werner

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Shaun E. Werner, District 10-0, at (724) 357-7614.

#### **General Requirements and Information**

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

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that request engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same

Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

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

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

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

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-2015. Filed for public inspection November 24, 1999, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Notice of Proposed Settlement; E-Z Ship Recycling, Inc. v. DEP; EHB Doc. No. 97-142-R

The Department of Environmental Protection (Department) and E-Z Ship Recycling, Inc. (E-Z Ship) have agreed to settlement of the above case. E-Z Ship appealed the Department's revocation of a General Permit issued under the Solid Waste Management Act that authorized the company to store and process waste tires. The major provision of the settlement agreement states that E-Z Ship has agreed to withdraw its appeal of the Department's action with the parties reserving rights.

This notice is being provided under 25 Pa. Code § 1021.120(d). The settlement agreement is subject to final approval by the Environmental Hearing Board (Board). The Board may schedule a hearing prior to taking action on the settlement agreement. Any appeal of the settlement agreement must be filed with Commonwealth Court within 30 days of the date of the Board's action. The proposed settlement agreement can be examined during normal business hours at the Department's Southwest Regional Office of Chief Counsel at 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Persons desiring to review the settlement agreement should call (412) 442-4262 (which also may be reached through the AT&T Relay Service at (800) 654-5984). The proposed settlement agreement is also available during normal business hours at the office of the Environmental Hearing Board, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8457. Comments should be directed to the Board within 30 days of this publication.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 99-2016. Filed for public inspection November 24, 1999, 9:00 a.m.]

### Plymouth Township v. DEP and Montenay Montgomery Limited Partnership; EHB Doc. No. 97-178-C

The Department of Environmental Protection (Department), Montenay Montgomery Limited Partnership (Montenay), and Plymouth Township (Plymouth) have entered into a proposed consent adjudication to settle the above matter. On July 29, 1997, the Department issued a revised Solid Waste Permit No. 400558 authorizing Montenay to process certain types of municipal-like residual waste. Plymouth filed a timely appeal of the revised Solid Waste Permit. On or about August 23, 1999 the Department modified Solid Waste Permit 400558.

The parties have agreed to a settlement, the major provisions of which include: the Department has modified Solid Waste Permit 400558 regarding the types of municipal like residual waste the Facility may receive and the procedures by which it will be accepted, handled and processed, and Plymouth will not appeal the permit and will withdraw a related challenge filed in Commonwealth Court (No. 779 M.D. 1997), Montenay will submit to Plymouth a written identification of all legally-required currently applicable emission limitations and reporting and shutdown requirements, Montenay will provide Plymouth with a copy of all reports submitted to the Department, Montenay shall pay Plymouth \$2 for each ton of Form S waste that it receives and processes, and Plymouth shall have the right to inspect Form S waste deliveries during normal operating hours.

This notice is provided under 25 Pa. Code § 1021.120(d). The proposed consent adjudication is subject to final approval by the Department and the Environmental Hearing Board. The proposed consent adjudication containing the specific terms of the proposed settlement is available for public review and comment. Under 25 Pa. Code § 1021.120(d), the public comment period will extend for 30 days from today's date. Persons may submit written comments on the proposed consent adjudication to the Department by December 27, 1999, by submitting

them to Douglas White, Esquire at the address provided as follows. Copies of the full Consent Adjudication may be obtained from:

Eli R. Brill, Esquire, Dechert Price & Rhoads, 4000 Bell Atlantic Tower, 1717 Arch Street, Philadelphia, PA 19103-2793, (215) 994-2122; and Luther E. Weaver, III, Esquire, Bowser & Weaver, P.C., 250 S. 16th Street, Philadelphia, PA 19102, (215) 790-0600; and Douglas G. White, Esquire, Assistant Counsel, Commonwealth of Pennsylvania, Department of Environmental Protection, Office of Chief Counsel—Southeast Region, Lee Park, 555 E. North Lane, Suite 6015, Conshohocken, PA 19428-6015, (610) 632-6300.

The proposed consent adjudication is also available at the office of the Environmental Hearing Board, 2nd 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. Interested parties may telephone the Environmental Hearing Board at (717) 783-3483.

The Environmental Hearing Board may schedule a hearing prior to taking action on the proposed consent adjudication. Under 25 Pa. Code § 1021.120(d), any appeal of the consent adjudication must be filed with the Commonwealth Court within 30 days of the date of the Environmental Hearing Board's action.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 99-2017. Filed for public inspection November 24, 1999, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Designations of Waters Subject to Special Fishing Regulations

The Fish and Boat Commission (Commission) is designating the following waters as subject to 58 Pa. Code Chapter 65 (relating to special fishing regulations), effective January 1, 2000:

*§ 65.4b. All-Tackle Selective Harvest Program.*

The following waters are designated to be regulated and managed under the All-Tackle Selective Harvest Program and are added to the list of waters subject to these regulations (58 Pa. Code § 65.4b):

<i>County</i>	<i>Water</i>	<i>Description</i>
Clinton	Rauchtown Creek	1.2 mile section from the confluence of Krape Run and Rocky Run downstream to the SR 0880 crossing located upstream of the Ravensburg State Park Picnic Area

*§ 65.6. Delayed harvest artificial lures only areas.*

The following waters are designated to be regulated and managed under the Delayed Harvest Artificial Lures Only Program and are added to the list of waters subject to these regulations (58 Pa. Code § 65.6):

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Bradford	Schrader Creek	1.2 mile section from 100 yards downstream of the confluence of Bull Run upstream to the boundary of State Game Land No. 36

The limits of the following waters that are currently regulated and managed under the Delayed Harvest Artificial Lures Only Program have been redesignated:

<i>County</i>	<i>Water on which located</i>	<i>Description</i>
Lycoming	Little Pine Creek	1.1 mile section from the confluence of Otter Run downstream to the confluence of Schoolhouse Hollow
Susquehanna	Salt Lick Creek	0.15 mile downstream of the T-638 bridge downstream to the downstream boundary of State Game Lands No. 35, a distance of 1.45 miles.

*§ 65.8. Warmwater/coolwater species special conservation waters.*

The following waters are deleted from the list of "Warmwater/Coolwater Species Special Conservation Waters" designated under 58 Pa. Code § 65.8:

<i>County</i>	<i>Water</i>
Cumberland	Opossum Creek Lake

*§ 65.9. Big bass special regulations.*

The following lakes are designated to be regulated and managed under the Big Bass Special Regulations and are added to the list of waters subject to these regulations (58 Pa. Code § 65.9):

<i>County</i>	<i>Water</i>
Cumberland	Opossum Creek Lake
Greene	Duke Lake (formerly known as Ryerson Station Lake)
Wayne	Lower Woods Pond
Westmoreland	Lower Twin Lake
Westmoreland	Mammoth Lake

*§ 65.10. Select Trout Stocked Lake Program.*

The following lakes are designated to be regulated and managed under the Select Trout Stocked Lake Program and are added to the list of waters subject to this regulation (58 Pa. Code § 65.10):

<i>County</i>	<i>Water</i>
Luzerne	Lake Took-a-While
Tioga	Beechwood Lake
Wayne	Upper Woods Pond

*§ 65.11. Panfish enhancement special regulation.*

The following lakes are designated to be regulated and managed under the Panfish Enhancement Special Regulation and are added to the list of waters subject to this regulation (58 Pa. Code § 65.11):

<i>County</i>	<i>Water</i>	<i>Applicable Species</i>
Berks	Blue Marsh Reservoir	Crappie
Centre	J.F. Sayers Lake*	Sunfish Crappie
Lancaster	Speedwell Forge Lake	Crappie
Lehigh	Leaser Lake	Sunfish Yellow Perch Crappie
Montour	Lake Chillisquaque*	Sunfish Crappie
Pike	Lower Promised Land Lake	Sunfish Yellow Perch
Pike	Upper Promised Land Lake	Sunfish Yellow Perch
Somerset	High Point Lake	Yellow Perch
Washington	Cross Creek Lake	Sunfish Crappie
Westmoreland	Lower Twin Lake	Crappie
Westmoreland	Upper Twin Lake	Crappie

\*The Commission previously designated this water as a Panfish Enhancement Special Regulation water and applied the regulation to all three of the panfish species, that is, sunfish, yellow perch and crappie. The Commission is now applying the regulation only to the species listed.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 99-2018. Filed for public inspection November 24, 1999, 9:00 a.m.]

## **Buoy and Sign Guidelines for Run-of-the-River Dams**

### *A. Introduction*

The act of June 18, 1998 (P. L. 702, No. 91) (Act 91) went into effect on January 1, 1999. This law amends 30 Pa.C.S. (relating to Fish and Boat Code), and applies to owners of existing run-of-the-river dams and permittees for the construction or installation of new run-of-the-river dams. It requires them to mark the areas above and below the dams and on the banks immediately adjacent to the dams with signs and buoys to warn the swimming, fishing and boating public of the hazards posed by the dam.

Under this law, the owners of dams identified by the Department of Environmental Protection (Department) as meeting the statutory definition of a "run-of-the-river" dam must mark the dam and its environs with signs and buoys. The design and content of these signs and buoys is determined by the Fish and Boat Commission (Commission), after consultation with the Department. The signs are intended to warn the swimming, fishing and boating public of the hazards posed by the dam. Act 91 provides

that the Commission shall publish the guidelines establishing the size, location and content of the signs and buoys as a notice in the *Pennsylvania Bulletin* and may from time-to-time modify them as circumstances require.

On February 27, 1999, the Commission published a notice at 29 Pa.B. 1137 containing the proposed guidelines for the contents and location of signs to mark run-of-the-river dam. As a result of the comments received in response to these proposed guidelines, the Commission, in consultation with the Department, modified them to provide different requirements for marking smaller dams. These modified requirements were sent to each owner of a run-of-the-river dam identified by the Department under Act 91, with a further invitation for comments and suggestions to be submitted on or before June 15, 1999.

The Commission received numerous comments focusing on the issue of whether an exclusion zone should be required for smaller dams. Many of the comments related to Benton Dam in Columbia County.

The Commission reviewed and considered the comments. The Commission believes that it is clear that Act 91 was intended to, and did, give the Commission, in

consultation with the Department, the authority to require marking of enforceable exclusion zones around run-of-the-river dams. Act 91 states that the Commission will establish requirements for the content of the signs, and 30 Pa.C.S. § 3510(h)(3) establishes a penalty for persons who enter "an exclusion zone marked under the provisions of this section."

The more difficult question is whether Act 91 allows for the possibility of marking dams with signs that do not create an exclusion zone. Although marking an exclusion zone is clearly referred to in Act 91, the Commission has broad discretion, within the intent of the law, to specify the contents of the warning signs and buoys. If the signs merely warn about the dangers of the dam but do not create an exclusion zone, then no exclusion zone will exist around the dam in question. In promulgating these final guidelines, the Commission has decided to give the owners of certain small run-of-the-river dams the option of placing warning signs that do not create an exclusion zone in limited circumstances. This change to the proposed guidelines addresses many of the comments and concerns expressed about the original guidelines.

#### B. Purpose

The purpose of these guidelines is to provide Statewide guidance for marking of run-of-the-river dams and the design of signs and buoys and their placement and maintenance. Compliance with the standards and guidelines established by the Commission is required to meet the requirements of Act 91 and to provide effective and efficient visual aids (signs and buoys) that meet safety standards at these lowhead dams.

#### C. Required Signs

1. Owners of dams 200 feet or more in length must purchase, post and maintain a pair of exclusion zone signs on each side of their dams—one pair facing upstream and one pair facing downstream. Owners will post these signs so that individuals walking, boating, swimming, wading or fishing near the dam are aware of the dangers and informed of the size of the exclusion zone around the dam. The signs will be 4 feet x 4 feet and will create an exclusion zone by displaying wording prohibiting boating, swimming and wading at the dam on a white reflective background. The exclusion zone ordinarily will extend 200 feet upstream from the dam breast and 100 feet downstream from the boil of these dams. The Commission suggests that these signs be constructed of .080 gauge aluminum, but alternate materials (wood, plastic and the like) are acceptable as long as the signs meet the size and text requirements. Owners will display and maintain these signs 365 days a year unless the Commission approves an alternative display schedule based on exigent or unusual circumstances.

2. Owners of dams less than 200 feet in length must purchase, post and maintain at least two general warning signs on their dams—one facing upstream and one facing downstream. Owners will post these signs so that individuals walking, boating, swimming, wading or fishing near the dam are made aware of the dangers of activities in the immediate vicinity of the dam. The signs will be at least 2 feet x 2 feet. The Commission suggests that these signs be constructed of .080 gauge aluminum, but alternate materials (wood, plastic and the like) are acceptable as long as the signs meet the size and text requirements set forth as follows. Owners will display and maintain these signs 365 days a year.

a. *Text Requirements for Exclusion Zone Signs on Dams.* Except in special cases described in subsection (b),

the signs will establish an exclusion zone in the area around the dam. The suggested text for the exclusion zone signs on the dam are the same as those for the upstream and downstream exclusion zone signs for larger dams except that the size of the exclusion zone may vary for these smaller dams. The sign will contain wording that creates an exclusion zone by prohibiting boating, swimming and wading at or near the dam. The size of the exclusion zone upstream and downstream of these smaller dams ordinarily should be 100 feet upstream from the dam breast and 50 feet downstream from the boil, but the Commission may adjust the size of the exclusion zone or the signage requirements on application of the dam owner or by its own order based on the nature of the dam. Owners will display and maintain these signs 365 days a year unless the Commission approves an alternative display schedule based on exigent or unusual circumstances.

b. *Text Required for Warning Zone Signs.* Upon submission of a written statement from the owner of a dam less than 200 feet in length, placement of warning signs in lieu of exclusion zone signs may be considered. Use of warning signs, in lieu of exclusion signs, is only appropriate where the dam is under the entire control of a single owner or, in the case, of multiple owners, all owners agree to the use of these signs and certify in writing that they agree and will assume responsibility. In no case will warning signs be posted on one part of a dam and exclusion zone signs posted on another part of the same dam. This will cause confusion for the public and will raise issues about liability and responsibility. The warning sign will contain wording that creates a warning zone by warning all persons of the dangers boating, swimming and wading at or near the dam. Owners may place warning signs in lieu of exclusion zone signs when they determine that the areas at and near the dam are sufficiently safe and controlled that it is unnecessary to exclude the public from these areas. The owner must submit a certification to the Commission that such a determination has been made. The certification must be provided on forms furnished by the Commission and must state that the owner shall assume responsibility and liability for all the consequences of such a determination.

3. Vinyl or water resistant paper 11 inch x 14 inch signs may be posted along pathways leading to or banks within the exclusion area to provide additional warning to the restrictions at the dam. Vinyl or water resistant 11 inch x 14 inch paper signs may be posted along pathways leading to or banks within the warning zones to provide additional warning of conditions at the dam. These signs are available through the Commission at a cost of \$2 per sign.

#### D. Buoys.

1. The owners of dams 200 feet or more in length are required to install buoys on the upstream and downstream side of dams when the normal water low level is 3 feet or greater in depth.

2. Buoys will be installed and maintained at a minimum of 200 feet on the upstream side. The downstream buoys must be installed at least 100 feet downstream of the maximum boil line. Exception to this rule requires specific approval of the Commission.

3. Buoys must be spaced evenly, not more than 150 feet apart.

4. All buoys, symbols and features will meet the requirements of the U.S. Aids to Navigation system. All buoys will have an orange "diamond w/cross" symbol meaning "Boats Keep Out" and the words "Danger Dam."

5. Buoys are not required for dams less than 200 feet in length, but may be placed at the discretion of the dam owner.

6. Owners and permittees must submit a completed Application for Permit to Install Floating Structures and Private Aids to Navigation—Form PFBC-277 to the Commission for review and approval. This permit may give some flexibility regarding the location and number of buoys and installation and removal dates. Owners and permittees should read the entire permit application and regulations on the reverse side of the form before submitting it to the Commission for review.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 99-2019. Filed for public inspection November 24, 1999, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed by the Historic Preservation Board

Notice of properties to be considered at the December 14, 1999 meeting of the Historic Preservation Board for nomination to the National Register of Historic Places. The meeting will start at 9:45 a.m. in the Fifth Floor Board Room of the State Museum, 3rd and North Streets, Harrisburg, PA, with the review of National Register nominations beginning roughly at 10:30 a.m.

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

#### I. *National Register Nominations to be Reviewed*

##### *Allegheny Plateau*

1. *Spalding Memorial Library/Tioga Point Museum.* 724 S. Main Street, Athens, Bradford County.

##### *Anthracite Region and Poconos*

No nominations

##### *Great Valley and Piedmont Region*

2. *Pleasureville Historic District.* Situated along N. Sherman Street between Cherry Lane and Park View Road, Springettsbury Township, York County.

3. *Morton Morton House.* Confluence of Muckinipates and Darby Creeks, Norwood, Delaware County.

4. *Henry Melchior Muhlenberg House.* 201 W. Main Street, Trappe, Montgomery County.

5. *Manheim Borough Historic District.* Roughly bounded by Colebrook Street, Laurel Street, Fuller Drive and Fulton Street, Manheim, Lancaster County.

##### *Ridge and Valley*

No nominations

##### *Southwestern Pennsylvania*

6. *North Hill Historic District.* Roughly bounded by Delaware and Neshannock Avenues; Crescent, Falls, Beaver, Jefferson, Mercer Streets; Hillcrest and Fairmont Avenues, New Castle, Lawrence County.

#### II. *Petition for Removal from National Register to be Considered*

*Kent, Thomas, Jr., Farm.* Franklin Township, Greene County.

BRENT D. GLASS,  
*Executive Director*

[Pa.B. Doc. No. 99-2020. Filed for public inspection November 24, 1999, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
19-4	Corrections County Correctional Institutions	11/16/99

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 99-2021. Filed for public inspection November 24, 1999, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control

Tuscarora Wayne Mutual Insurance Company has filed an application to acquire control of Washington Mutual Fire & Storm Insurance Company, a Pennsylvania domiciled mutual fire insurance company. The filing was made under the requirements set forth under the Insurance Holding Companies Act, 40 P.S. § 991.1402, et seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement.

Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-2022. Filed for public inspection November 24, 1999, 9:00 a.m.]

### Application for Domestic Certificate of Authority

Lackawanna American Insurance Company has applied for a Certificate of Authority to operate as a domestic stock casualty insurance company in Pennsylvania. The filing was made under the requirements set forth under The Insurance Company Law, Act of May 17, 1921, P. L. 682, as amended. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557, or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-2023. Filed for public inspection November 24, 1999, 9:00 a.m.]

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

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of James E. Crouse; file no. 99-181-06061; Liberty Mutual Fire Insurance Company; doc. no. P99-11-003; December 14, 1999, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the 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 hearings, 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. 99-2024. Filed for public inspection November 24, 1999, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Bucks County, Wine & Spirits Shoppe #0903, 720 Easton Road, Riegelsville, PA 18077-0111.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in Durham Township on Route 611 near Route 412.

*Proposals due:* December 17, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9671

Centre County, Wine & Spirits Shoppe #1402, 2051 South Atherton Street, State College, PA 16801-7608.

*Lease Expiration Date:* October 31, 2004

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 to 6,000 net useable square feet of new or existing retail commercial space in a shopping center environment located near the intersection of University Drive and South Atherton Street in College Township.

*Proposals due:* December 17, 1999 at 12 noon



**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Joseph Molhoek, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 99-2025. Filed for public inspection November 24, 1999, 9:00 a.m.]

## MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND

### Notice of and Amount of Surcharge

The Medical Professional Liability Catastrophe Loss Fund, under the authority granted by section 701(e) of the Health Care Services Malpractice Act (40 P.S. § 1301.701(e)), as amended by Act 135 of 1996, has determined that the annual surcharge to be assessed for calendar year 2000 shall be 61% applied to the prevailing primary premium for each health care provider.

Act 135 of 1996 defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association (JUA). For purposes of the 2000 annual surcharge, the JUA rates to be used are \$400,000/\$1,200,000 for health care providers other than hospitals, and \$400,000/\$2,000,000 for hospitals.

Health care providers having approved self-insurance plans shall be surcharged an amount equal to the surcharge imposed on a health care provider of like class, size, risk and kind as determined by the Fund's Director.

JOHN H. REED,  
*Director*

[Pa.B. Doc. No. 99-2026. Filed for public inspection November 24, 1999, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing for All Milk Marketing Areas; Over-Order Premium

Under the Milk Marketing Law (31 P.S. § 700j-101 et seq.), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1, 2, 3, 4, 5 and 6 on December 1, 1999, at 10:30 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning whether an adjustment should be made to the level of the over-order premium, which is currently \$.40 per hundredweight.

The staff of the Board is deemed to be a party to this hearing, and the attorneys representing staff are deemed to have entered their appearances. Other persons who wish to present evidence may be included on the Board's list of parties by (1) having their attorney file with the Board on or before 1 p.m. November 29, 1999, a notice of

appearance substantially in the form prescribed by 1 Pa. Code § 31.25 or (2) if unrepresented by counsel, filing with the Board on or before 1 p.m. November 29, 1999, notification of their desire to be included as a party.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. November 30, 1999, each party shall file with the Board seven copies and ensure receipt by all parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

A prehearing conference for all parties will be held at 10 a.m. in Room 110 of the Agriculture Building.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110. Persons who require this information in an alternate format, call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 99-2027. Filed for public inspection November 24, 1999, 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 December 20, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**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-00112157, Folder 2. Mountain Line, Inc.** (R. D. 1, Box 338, Pine Grove, Schuylkill County, PA 17963), a corporation of the Commonwealth of Pennsylvania—persons in scheduled route service from Williamstown, Dauphin County, to Lickdale, Lebanon County, by way of Route 209 to Exit 33, thence south on Interstate Route 81 to Exit 30. *Attorney:* Joseph D. Kerwin, 4245 Route 209, Elizabethville, PA 17023.

**A-00116363. Kevin R. Bippus and Sheri D. Bippus, Copartners, t/d/b/a Lifestyle Limousine of Lancaster** (107 Buchland Road, Ephrata, Lancaster County, PA 17522)—persons in limousine service, between points in the counties of Lancaster, Berks, Lebanon, York and Chester, and from points in the said counties, to points in Pennsylvania, and return.

**A-00116363, F. 2. Kevin R. Bippus and Sheri D. Bippus, Copartners, t/d/b/a Lifestyle Limousine of Lancaster** (107 Buchland Road, Ephrata, Lancaster County, PA 17522)—persons in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the counties of Lancaster, Berks, Lebanon, York and Chester, and from points in the said counties, to points in Pennsylvania, and return.

**A-00116365. Lawrence Allen, t/d/b/a L. Allen Express** (719 High Street, Williamsport, Lycoming County, PA 17701)—persons, in paratransit service: (1) From points in the county of Lycoming, to all State and Federal correctional institutions located in Pennsylvania, and return; and (2) From the county of Lycoming, to points in the city and county of Philadelphia, and vice versa.

**A-00116366. Patrick M. Kelsey** (P. O. Box 1512, Norristown, Montgomery County, PA 19404)—persons in paratransit service, between points in the city and county of Philadelphia, and the county of Montgomery, and from points in said counties, to points in Pennsylvania, and vice versa.

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

**A-00116364. Pegasus Transportation Holdings, Inc.** (6030 Bunker Hill, Pittsburgh, Allegheny County, PA 15206-1156), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in those portions of the counties of Beaver, Butler, Washington and Westmoreland which are located within an airline distance of 18 statute miles of the city of Pittsburgh, Allegheny County, and from said area, to points in Allegheny County, and vice versa; subject to the following condition: That no right, power or privilege is granted to provide transportation from points in Westmoreland County, to the Greater Pittsburgh International Airport in the township of Moon, Allegheny County and from points in Westmoreland County to the restaurant facilities of J. Paul Sghetti's, Inc., in the township of Huntingdon, Westmoreland County, and vice versa; which is to be a transfer of the limousine right authorized Landmark Transportation Services, Inc., under the certificate issued at A-00111633, subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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

**A-00096429, F. 1, Am-J. William J. Brown Trucking, Inc.** (390 Lade Mill Road, Valencia, Butler County, PA 16059), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit* the discontinuance of household goods in use authority which reads as follows: (1) To transport, as a Class B carrier, household goods in use between points in the township of Middlesex, Butler County; (2) To transport, as a Class D carrier, household goods in use from points in the township of Middlesex, Butler County, to points within 40 miles by the usually traveled highways of the limits of the said township, and vice versa; which is to be a cancellation of the 5th and 6th rights contained in the order at A-00096429, entered March 29, 1971.

**A-00107901, F. 1, Am-A. R & R Truck Sales & Service, Inc.** (115 Kutz Road, Temple, Berks County, PA 19560), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit* the discontinuance of household goods in use authority which reads as follows: (1) To transport, as a Class D carrier, household goods in use from points in the townships of Upper Milford and Lower Milford, Lehigh County, to points within 40 miles by the usually traveled highways of the limits of the said townships, and vice versa; and (2) To transport, as a Class B carrier, household goods in use between points in the townships of Upper Milford and Lower Milford, Lehigh County; which is to be a cancellation of the 1st and 3rd rights contained in the order at A-00107901, adopted May 13, 1988, entered May 19, 1988.

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

**A-00104201, F. 1, Am-A. Irene M. Mariscotti, t/d/b/a Your Door to the Airport** (324 Third Street, California, Washington County, PA 15419), for amendment to her common carrier certificate: *So as to permit* the discontinuance of service and cancellation of the certificate at A-00104201 which authorizes the following service: To transport, as a common carrier, persons in airport transfer service, between points within the borough of California, Washington County, and points in Washington County within a radius of 15 miles of said borough, to the Greater Pittsburgh Airport in the township of Moon, Allegheny County; subject to the following condition: That no right, power or privilege is granted to provide airport transfer service on a scheduled route basis; all transportation herein being specifically limited to movement on prior requests for service from the point of said request in the authorized service area to the Greater Pittsburgh Airport, and vice versa.

**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-00106305, Folder 4. Star Limousine Service, Inc.** (910 Sheraton Drive, Sheraton Hotel/Northwest, Mars, Butler County, PA 16046), a corporation of the Common-

wealth of Pennsylvania—additional right—to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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

**A-00108330, F. 5001. J. C. Stilwell's Son, Inc.** (1408 Calcon Hook Road, Sharon Hill, Delaware County, PA 19079), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of all issued and outstanding stock from Stephen Eder (50 shares) to J. C. Stilwell's Son, Inc. *Attorney:* Richard A. Franklin, 1700 Sansom Street, Philadelphia, PA 19103.

**A-00111774, F. 5001. Economy Moving & Storage, Inc.** (1408 Calcon Hook Road, Sharon Hill, Delaware County, PA 19079), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of all issued and outstanding stock from Stephen Eder (5 shares) to Economy Moving & Storage, Inc. *Attorney:* Richard A. Franklin, 1700 Sansom Street, 12th Floor, Philadelphia, PA 19103.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-2028. Filed for public inspection November 24, 1999, 9:00 a.m.]

**Telecommunications  
Interconnection Agreement**

**A-310743F0002. Bell Atlantic-Pennsylvania, Inc. and PaeTec Communications, Inc.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and PaeTec Communications, Inc. for approval of an amendment to the Interconnection Agreement.

Bell Atlantic-Pennsylvania, Inc. and PaeTec Communications, Inc., by its counsel, filed on November 8, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an amendment to the Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and PaeTec Communications, Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-2029. Filed for public inspection November 24, 1999, 9:00 a.m.]

**Telecommunications  
Interconnection Agreement**

**A-310814F0002. Bell Atlantic-Pennsylvania, Inc. and US LEC of Pennsylvania, Inc.** Joint Petition of

Bell Atlantic-Pennsylvania, Inc. and US LEC of Pennsylvania, Inc. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and US LEC of Pennsylvania, Inc., by its counsel, filed on November 5, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and US LEC of Pennsylvania, Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-2030. Filed for public inspection November 24, 1999, 9:00 a.m.]

**STATE BOARD FOR  
CERTIFICATION OF  
SEWAGE TREATMENT  
PLANT AND WATERWORKS  
OPERATORS**

**Examination Announcement for 2000**

*Examination Dates:*

April 29, 2000—Applications must be received, complete and correct, no later than February 14, 2000.

November 4, 2000—Applications must be received, complete and correct, no later than August 21, 2000.

The certification examination will be offered in the area of the following cities: Altoona, Harrisburg, Meadville, Philadelphia, Pittsburgh, Williamsport and Wilkes-Barre.

Applications may be obtained from and must be returned to the Department of Environmental Protection, Certification and Licensing, P. O. Box 8454, 400 Market Street, Harrisburg, PA 17105-8454, (717) 787-5236, by the established cutoff dates stated above (not postmarked). Information regarding the certification examination can be obtained by contacting this same address and telephone number.

Information on training courses can be obtained by contacting the Department of Environmental Protection, Technical Training, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-0122.

Applicants requesting two examinations (water and sewage) must be examined in the Harrisburg area.

Qualified applicants will receive a "letter of notification" approximately 3 weeks prior to the examination. This

letter must be presented at the examination center for admission to the examination.

All applicants will be notified of examination results within 75 days after the examination date.

The sewage and water treatment plant operator examination consists of 100 multiple-choice questions. A formula conversion table is provided with the examination package at the test site.

Persons with a disability who require accommodation to take the sewage treatment plant or waterworks operator exam should contact the Board at (717) 787-5236 or through PA AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

ROBERT J. SLATICK,  
*Secretary*

[Pa.B. Doc. No. 99-2031. Filed for public inspection November 24, 1999, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of an Engineering or Construction Management Firm

#### Project Oversight

#### Fiber Optic Resource Sharing Project Systemwide

#### Reference No. 3-122

The Turnpike Commission (Commission) may retain an Engineering or Construction Management firm to provide project oversight services for the design and construction of a Statewide fiber optic system along the Pennsylvania Turnpike. This project is scheduled to begin in the Spring of 2000 and be completed within a 2-year period. Construction costs are estimated to be \$125,000,000.

The consultant agreement is anticipated to begin by February 2000 and have a completion date of October 31, 2002.

The firm will be required to work and coordinate with representatives of the Turnpike's Engineering and Information Technology Departments and the Fiber Optic Resource Sharing Partner, who will design and construct the project. During the design phase, the selected consultant will review, comment and provide recommendations of preliminary design, final design, and other submissions received from the Fiber Optic Resource Sharing Partner. In addition, the consultant may distribute documents, conduct and prepare minutes from Review Team meetings, review proposed contractors submitted by the Fiber Optic Resource Sharing Partner, and perform constructability reviews. During the construction phase, the selected consultant will inspect and document the construction activities, verify compliance with plans and specifications, assist in obtaining construction permits, approve cable path changes, review contractor submissions, prepare correspondence, provide as-built drawings, assist with public relations, interact with public agencies and Turnpike neighbors, coordinate operations and other duties as required. Testing or witnessing of quality control testing of onsite materials will also be required.

Eighty percent of the inspection staff assigned to this Commission constructed project must meet the following Requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies, (NICET) as a Transportation Engineering Technician—Construction Level 2 or higher.

2. Be registered as a professional engineer by the Commonwealth of Pennsylvania with 1 year highway inspection experience acceptable to the Commission.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with 2 years of highway inspection experience acceptable to the Commission.

4. Hold a Bachelor of Science Degree in Civil Engineering or Civil Engineering Technology with 2 years of highway inspection experience acceptable to the Commission.

5. Hold an Associate Degree in Civil Engineering Technology with 3 years of highway inspection experience acceptable to the Commission.

The remaining 20% assigned to this project shall meet the following education and experience requirements:

*Education*—Graduation from High School or equivalent certification or formal training. Completion of a training program in construction inspection approved by the Commission may be substituted for High School graduation.

*Experience*—One year of experience in construction inspection or workmanship which requires reading and interpreting construction plans and specifications, or 1 year of experience in a variety of assignments involving the testing of materials used in highway or similar construction projects. A 2 to 4 year engineering college degree may be substituted for 1 year of experience.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their letter of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Pennsylvania Department of Transportation at the time of the submission of the letter of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Pennsylvania Turnpike Commission at the above address, or by calling (717) 939-9551 Ext. 4241.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

- a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

- b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.

- c. The specific experience and number of individuals who constitute the firm.

- d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Department of Transportation and Turnpike Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

Questions and inquiries concerning this Project should be directed to Matthew J. Wagner, P.E., at (717) 939-9551, Ext. 5210, or by email at mwagner@paturndpike.com.

#### **General Requirements and Information**

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. If the firm has multiple offices, the location of the office performing the work must be identified.

2. Three page expression of interest in the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for this project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the Project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultants listed in the letter of interest will require written approval from the Commission.

4. Tabulation of workload for the prime consultant and all subconsultants for all Department of Transportation and Turnpike Commission projects.

5. A copy of the Annual Qualification Package submitted to the Pennsylvania Department of Transportation for the current year that is in the same District as this project or one that is best suited for this project.

The Annual Qualification Package should contain at a minimum, the following information for the prime consultant and all subconsultants which should be attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in Pennsylvania.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Michael W. Flack, P.E., Assistant Chief Engineer for Construction, at the Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17013-9779 (parcel delivery address) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 p.m. (noon), Friday, December 10, 1999. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, one firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

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

JAMES F. MALONE, III,  
*Chairperson*

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