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# PENNSYLVANIA BULLETIN

Volume 26  
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Number 40  
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Subject Index for  
January—September 1996

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Pennsylvania Bulletin  
Pennsylvania Higher Education Assistance Agency  
Pennsylvania Public Utility Commission  
State Board of Veterinary Medicine  
Treasury Department

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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 263, October 1996**

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## **PENNSYLVANIA**

## **BULLETIN**

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## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

There are no restrictions on the republication of official documents appearing in the *Pennsylvania Bulletin*.

### **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted

proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

### **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

### ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

**SUBSCRIPTION INFORMATION: (717) 766-0211**  
**GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

#### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

#### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where "no fiscal impact" is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

## List of Pa. Code Chapters Affected

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

Amendment of Rules 102 and 106 of the Pennsylvania Rules for Continuing Legal Education; No. 164; Doc. No. 1

**Order**

*Per Curiam:*

And Now, this 16th day of September, 1996, Rules 102 and 106 of the Pennsylvania Rules for Continuing Legal Education are amended as follows.

To the extent that notice of proposed rule making would be required by Pa.R.J.A. 103, the amendment of the rules is hereby found to be required in the interest of efficient administration.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

**Annex A**

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart A. PROFESSIONAL RESPONSIBILITY

##### CHAPTER 82. CONTINUING LEGAL EDUCATION

##### Subchapter A. PROFESSIONAL RESPONSIBILITY

**Rule 102. General.**

- (a) \*\*\*
- (b) \*\*\*

*Provider.* A [ **not for profit** ] corporation or association which has been accredited by the Board to provide continuing legal education under these rules or a [ **not for profit** ] corporation or association which provides one (1) or more continuing legal education courses approved by the Board.

\* \* \* \* \*

**Rule 106. Providers.**

- (a) *Eligibility.*

1. *Accredited providers.* A [ **not for profit** ] corporation or association may apply to the Board for accreditation as a CLE provider. Such accreditation shall constitute prior approval of CLE courses offered by such provider, subject to amendment, suspension or revocation of such accreditation by the Board.

2. *Course providers.* A [ **not for profit** ] corporation or association may apply to the Board for approval of CLE courses under Rule 107 [ **(h)** ] and upon such approval, and while any course offered remains approved, such [ **not for profit** ] corporation or association shall be deemed a provider subject to these rules.

**3. For Profit Providers:**

a. A for profit corporation or association may apply to the Board for accreditation as a CLE provider or for approval of courses under Rule 107, and the Board may grant such accreditation or course approval to be effective on and after January 1, 1997.

b. Until authorized by these rules and the regulations of the Board, only CLE courses offered and conducted outside the territory of the Commonwealth of Pennsylvania by for profit corporations or associations may receive CLE credit from the Board.

\* \* \* \* \*

[Pa.B. Doc. No. 96-1667. Filed for public inspection October 4, 1996, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CHESTER COUNTY

#### Amendments to Rules of Civil Procedure

**Order**

And Now, this 17th day of September, 1996, the following amendments to the Chester County Rules of Civil Procedure are hereby adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with Pa.R.C.P. No. 239(d).

THOMAS G. GAVIN,  
*President Judge*

- I. Add the following comment following Rule 4007.1.B:

*Comment:* See Rule 206.1.A.(1) for certification required with discovery motions and petitions.

- II. Amend Rule 206.1.A.(1) as follows:

1. The present rule shall be renumbered to become subparagraph (a).

- 2. Add the following as Rule 206.1.(A)(1)(b):

(b) *Discovery motions and petitions.* Any motion or petition relating to discovery must be accompanied by a certificate of counsel for the moving party certifying that counsel has conferred with opposing counsel with respect to each matter set forth in the discovery motion or petition and has made a good faith effort to resolve each such matter but has been unable to resolve the differences which exist OR that counsel has made a good faith effort to confer but has been unable to do so. The certificate shall set forth the exact time, place and manner (which may be telephonic) of the conference or, in a case in which counsel for the moving party cannot furnish such certificate, counsel shall furnish an alternative certificate stating that opposing counsel has refused to so confer. The alternative certificate shall also set forth the efforts made by counsel for the moving party to obtain compliance by opposing counsel and such other facts and circumstances as exist to justify the absence of the required certificate. All counsel have an affirmative obligation to confer and discuss discovery matters and make

a good faith effort to resolve such differences as may exist. The court at its discretion may strike, dismiss or deny the petition or motion for failure of the moving party to comply with the certification requirements of this rule or may grant relief based solely upon the unreasonable refusal of opposing counsel to confer despite reasonable and good faith efforts of moving counsel to arrange such conference.

III. Amend Rule 249.3, Order of Trial Readiness, to read as follows:

(a) A category A matter shall be presumptively deemed ready for trial twelve (12) months from the date of the initiation of the suit and a category C matter (compulsory arbitrations) in which there has been an appeal from the award of arbitrators shall be presumptively deemed ready for trial two (2) months from the date of the filing of the appeal. Such matters shall immediately thereafter be placed on the trial list of the judge to whom the case is assigned, unless prior thereto an order has been entered deferring the placement on the trial list until a later date. Such order may be entered by the court on its own motion or pursuant to the procedures set forth in paragraph (b) below.

(b) To obtain relief from the initial automatic trial listing pursuant to paragraph (a) above and, thereafter, from any deferred trial listing, a party must file a request for an administrative conference to be held in accordance with Rule 249.1. The first request for administrative conference must be filed no later than eight (8) months after the date of initiation of suit, except in category C matters. In category C matters, the first request for an administrative conference must be filed no later than ten (10) days after the filing of the appeal from the award of arbitrators. All subsequent requests for administrative conferences must be filed not less than thirty (30) days prior to the trial listing date. The request for an administrative conference must specify that deferment of trial listing will be requested at the conference. The request for administrative conference shall be filed of record and a copy thereof served upon counsel of record for each other party to the action, each unrepresented party, if any, the Court Administrator, and the assigned judge.

(c) At any time prior to placement of a case on the trial list pursuant to the procedures set forth above, the court, either on its own motion or upon agreement of the parties or upon application of any party, may determine that any matter is ready for trial, in which event the court shall file a trial readiness order and the court administrator shall then notify all parties that the case has been placed on the trial list.

(d) Category C matters shall be governed by C.C.R.C.P. No. 1301.1 et seq., unless and until an appeal from the award of arbitrators has been filed. Following the filing of such appeal, the rules set forth above and below shall apply.

(e) *Interim Rule.* For the purposes of this rule only, the "date of the initiation of the suit" shall be deemed to be July 1, 1996, for all cases commenced prior to January 1, 1996, and the "date of the initiation of the suit" shall be deemed to be September 1, 1996, for all cases commenced on or after January 1, 1996, but prior to September 1, 1996. For all other cases, the "date of the initiation of the suit" shall be the actual date upon which the suit was or is commenced. For all Category C matters in which the award of arbitrators has been entered or is entered on or

before the effective date of these amendments, the "date of the filing of the appeal" from the award of arbitrators shall be deemed to be the twentieth (20th) day following the effective date of these rules. However, this rule shall not affect any case for which a trial readiness order has already been filed nor limit the application of paragraph (c) above.

IV. Amend Rule 249.1, Administration of Civil Cases, as follows:

Amend subparagraph A to read as follows:

A. The court shall conduct one or more administrative conferences in each case in which the judge is requested to do so by any party and may conduct administrative conferences in any matter at any time or times upon the judge's own motion.

No change to subparagraphs B or C.

V. Amend Rule 1303.2, Pre-Arbitration Memorandum, as follows:

Amend the introductory paragraph to Rule 1303.2(a) to read as follows:

(a) At least seven (7) days before the date of the arbitration hearing, all parties shall file with the Prothonotary, in triplicate, a memorandum in the form provided and shall immediately serve a copy on each party. This memorandum shall set forth the following:

(1) . . .

VI. Amend Rule 206.1.C.(4) as follows:

Amend the second sentence of Rule 206.1.C.(4) to read as follows:

All other parties shall file their responses, if any, to the motion and their briefs within fifteen (15) days of the filing of the motion, except with respect to motions for summary judgment, as to which responses and briefs must be filed within thirty (30) days after service of the motion.

VII. Add the following comment following Rule 206.1.C.:

*Comment.* See Rule 1035.1(A) and also Pa.R.C.P. Nos. 1035.1 et seq. with regard to motions for summary judgment.

VIII. Add Rule 1035.1(A) as follows:

Procedural requirements with respect to arguments and briefs are generally set forth in Rules 206.1.A.(1) et seq., and in particular in Rules 206.1.C, 206.2, 210.1 and 211.1. These rules apply to motions for summary judgment as well as to all other motions. Pursuant to Rule 206.1.C.(4) and Pa.R.C.P. No. 1035.3(a), a response to a motion for summary judgment must be filed within thirty (30) days after service of the motion. Accordingly, pursuant to these Rules and to Pa.R.C.P. No. 1035.3(d), if no response is timely filed, the court may consider such a motion as uncontested and unopposed and may enter summary judgment against a party who does not respond.

IX. To the extent that Rules 2956.1 and 2971.1 conflict with the Pennsylvania Rules of Civil Procedure, and in particular with Pa.R.C.P. Nos. 2973.1 et seq., adopted April 1, 1996, effective July 1, 1996, and to that extent only, Rules 2956.1 and 2971.1 are repealed.

[Pa.B. Doc. No. 96-1668. Filed for public inspection October 4, 1996, 9:00 a.m.]

## DELAWARE COUNTY

## Judge Pro Tempore Program; Misc. Doc. No. 82-7677

## Order

*And Now*, to wit, this 17th day of September, 1996, due to the dire conditions which have resulted from the current overwhelming caseload of both civil and criminal cases that face the judges of this Court,

*It is Hereby Ordered and Decreed* that a Judge Pro Tempore Program is established in this judicial district utilizing the volunteer services of experienced trial lawyers, from both the plaintiff and defense bars, who have been or will be designated by the Court to preside as "Judges Pro Tempore."

*It Is Further Ordered* that the following procedures and qualifications will be followed with regard to this Program:

1. *Duties and Responsibilities of Judges Pro Tempore.* The Delaware County Bar Association, with the approval of the Court, will determine the names and number of Judges Pro Tem and the number of cases to be assigned to each Judge Pro Tem once the group of cases is identified by the Court Administrator.

Said designated judges may hear evidence, conduct conferences, hearings and trials and may, thereafter, make appropriate recommendations to this Court for the entry of necessary orders.

2. *Implementation of Program.* The Program is initially intended to exist from September of 1996 through December of 1997. It will be implemented in two phases: Phase I will begin in the fall of 1996, while Phase II is anticipated to begin in 1997.

Phase I is a mandatory settlement program aimed at reducing the initial backlog of trial-ready cases which will be returned to the unassigned pool by those judges assigned to the newly-created Criminal Division.

Phase II will allow the parties, by agreement, to take advantage of a priority trial listing before a Judge Pro Tem, with or without a jury. The Court will assign the Judge Pro Tempore upon stipulation by the parties.

3. *Categorization of cases.* Those cases which are returned for reassignment by the judges in the criminal division will be separated into the following categories, of which only those categorized as "simple" will be included in the program:

a. *Simple Personal Injury/Property:*

1. less than \$150,000 in damages;
2. less than four days for trial;
3. less than four parties involved;
4. assault, battery, premises liability, auto negligence bodily injury, auto negligence property, defamation, libel, slander, false imprisonment, other negligence bodily injury or property.

b. *Simple Commercial:*

1. less than \$150,000 in damages;
2. less than four days for trial;
3. less than five parties involved;
4. breach of contract, landlord/tenant, breach of warranty, declaratory judgment.

c. *Complex:*

1. class action
2. asbestos
3. medical malpractice
4. product liability
5. professional negligence
6. construction contract
7. toxic tort

d. *Standard:* all other cases

e. An option will be available for parties who may want to take advantage of Phase I but whose cases do not meet the standard for "simple" cases. The following criteria will apply to any such cases:

1. The case must have been returned to the Court Administrator for reassignment by a Judge in the Criminal Division.

2. An affidavit must be signed by all attorneys or unrepresented parties stating that there is agreement to participate in the settlement phase of the program and that there is a reasonable likelihood of settlement.

3. The attorneys/unrepresented parties must complete a settlement memorandum form, available in the Office of the Court Administrator, on or before October 31, 1996.

4. Upon completion and receipt by the Court Administrator, the case will be screened by the President Judge's chambers and, if approved, assigned to the Program.

5. The assigned Judge Pro Tem may thereafter, at the conclusion of Phase I, either include the case with the program or return the case to the unassigned pool. This decision will largely be based upon the parties' efforts at settlement during Phase I.

6. Should counsel/unrepresented parties not receive notice from the Court by September 30, 1996 advising of the case's inclusion in the program, the aforementioned steps must be followed by October 31, 1996 in order to be considered for inclusion in the program.

7. From time to time, the President Judge may supplement the program with additional case assignments.

4. *Settlement Memoranda.* Notices and Settlement Memoranda forms will be forwarded to attorneys/unrepresented parties beginning September 15, 1996 for those cases which have been selected initially by the Court for inclusion in the Program. All attorneys/unrepresented parties whose cases have been initially selected by the Court for inclusion in the Program must fully complete and return the Settlement Memorandum, along with copies, to the Court Administrator who will then file the original memorandum with the Office of Judicial Support on or before October 31, 1996.

5. *Settlement Conference.* Cases will be assigned to Judges Pro Tem by the Office of the Court Administrator, after which the Judges Pro Tem will schedule their cases for conference in the time period from December 1, 1996 through February 28, 1997. The conferences will be held at the time and place of choosing of the individual Judge Pro Tem.

The parties will be required to attend the settlement conference. *In the event that a defendant is insured, then an authorized claims manager or supervisor of defendant's insurer, with complete settlement authority and control of the claims file, is required to attend the conference.* The conference must also be attended by trial counsel.

The Judge Pro Tem will settle, continue or reschedule the matter or determine that it cannot be settled. In the latter case, the Judge Pro Tem shall determine whether the parties will stipulate to a trial before a Judge Pro Tem or whether the case will need to be reassigned to the unassigned trial pool in the civil division. The parties must notify the Judge Pro Tem at the conference or within one week after the settlement conference of their decision of whether or not to proceed to Phase II. The outcome of the settlement conference will be reported by the Judge Pro Tem to the Court.

#### 6. Trial.

a. *Judge Pro Tem.* If the parties agree to proceed non-jury with a Judge Pro Tem, the Judge Pro Tem will be assigned by the Court. The Judge Pro Tem assigned will not be the same judge as at the settlement conference, unless the parties so agree. The parties will be considered attached for trial for the date provided to them by the Judge Pro Tem and will be on one hour call.

If the parties agree to proceed with a Judge Pro Tem with a jury, the settlement conference judge will also be the trial judge. The Judge Pro Tem will schedule a pretrial conference and proceed accordingly. The Judge Pro Tem, in conjunction with the Office of the Court Administrator, will determine courtroom and jury availability.

The Judge Pro Tem will have the authority to resolve disputes regarding continuances and may attach attorneys for trial.

b. *Trial by the Court.* If the case is returned after the settlement conference, and the parties have not stipulated to a trial under the Program, the Court Administrator will return the case to the unassigned pool by complaint date order prior to "new" cases which are defined as filed as of June 28, 1996. The filing date for purposes of arbitration appeals will be the date of appeal.

7. *Motions.* The filing of motions will not delay the scheduling of a settlement conference. To the extent possible, all non-dispositive motions will be decided prior to the time of the Settlement Conference. Decisions on dispositive motions will be deferred until after the settlement conference.

If the case does not settle, and the parties do not proceed to Phase II, the Judge Pro Tem is to advise the Court of any outstanding motions. The motion will then be forwarded to the Civil Pre-trial Unit. All motions filed in cases assigned to judges in the Civil Trial Division are to be referred to and decided by the assigned trial judge.

If the parties do proceed to Phase II, the assigned Judge Pro Tem is authorized to decide all non-dispositive motions. Any issue which is final and appealable, and therefore dispositive, will be decided by the Trial Judge Pro Tem under the supervision of the President Judge for purposes of decision and written opinion.

In the event that a motion is filed after assignment to a Judge Pro Tem in Phase II, the moving party is required to file the original with the Office of Judicial Support and to provide a courtesy copy directly to the assigned Judge Pro Tem.

8. *Noncompliance.* Failure to comply with the Court's Order regarding the mandatory settlement conference in the Pro Tem Program, including the personnel required to attend with settlement authority, and/or failure to comply with all requirements stated herein, will result in a recommendation by the Judge Pro Tem for a hearing

before the President Judge. The President Judge will review the case and determine whether or not a hearing should be scheduled and/or sanctions need be imposed.

9. *Changes in Procedure.* The procedure set forth herein may be changed from time to time by notice appearing in the *Delaware County Legal Journal*.

10. *Effective Date.* The within procedure will become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.C.P. No. 239, the original Order shall be filed with the Office of Judicial Support and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedure Rules Committee. Copies of the Order will also be submitted to Legal Communications, Ltd., *The Legal Intelligencer*, and the *Delaware County Legal Journal*.

*By the Court*

A. LEO SERENI,  
*President Judge*

[Pa.B. Doc. No. 96-1669. Filed for public inspection October 4, 1996, 9:00 a.m.]

## FAYETTE COUNTY

**Local Rule 1920.51(a)—Divorce and Annulment: Master's Fee, Power of Master, Stenographer's Fee and Filing Costs; No. 1685 of 1996, G.D.**

### Order

*And Now*, this 13th day of September, 1996, it is hereby ordered that the above-stated Local Rule be as hereafter set forth. This amendment shall be effective 30 days after the publication in the *Pennsylvania Bulletin*.

The Prothonotary of Fayette County is *Ordered and Directed* to do the following:

(1) File seven (7) certified copies of this Order and Amended Rule with the Administrative Office of Pennsylvania Courts.

(2) File two (2) certified copies of this Order and Amended Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) File one (1) certified copy of this Order and Amended Rule with the Pennsylvania Civil Rules Committee.

(4) Forward one (1) copy for publication in the *Fayette Legal Journal*.

(5) Forward one (1) to the Fayette County Law Library.

(6) Keep continuously available for public inspection copies of this Order and Amended Rule.

It is further *Ordered* that said rule as it existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

*By the Court*

WILLIAM J. FRANKS,  
*President Judge*

**Rule 1920.51(a). Divorce and Annulment: Master's Fee, Power of Master, Stenographer's Fee and Filing Costs.**

(1) Costs, including the master's fee, shall be paid prior to the time that a master is appointed. When a master is appointed, the master shall control the conduct of the hearing as in a trial by judge without a jury.

(2) The special master shall receive Fifty Dollars (\$50.00) per hour for hearings, research and reports not to exceed Five Hundred Dollars (\$500.00). The Court may upon petition by the special master increase the fee to compensate the special master for additional necessary services.

(3) The master in a divorce under Section 3301(a) or (b) of the Act shall receive One Hundred Fifty Dollars (\$150.00) per case. However, in a case requiring lengthy hearings or involving unusual questions of law or fact, the Court may, upon petition of the master, increase the master's fee to compensate the master for additional necessary services.

(4) The stenographer shall be paid at the rate of Two Dollars and Twenty-five Cents (\$2.25) per original page, and Thirty Cents (.30) per copy page for notes of testimony taken and transcribed by the stenographer in hearings held by the master in a divorce.

(5) In the event that a hearing is canceled, other than by the stenographer, the stenographer shall be paid an appearance fee of Seventy-five Dollars (\$75.00).

(6) The filing costs for a case involving a special master shall be Seven Hundred Fifty Dollars (\$750.00).

(7) The filing costs for cases involving a divorce under Section 3301(a) or (b) of the Act shall be Two Hundred Twenty-five Dollars (\$225.00).

[Pa.B. Doc. No. 96-1670. Filed for public inspection October 4, 1996, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF VETERINARY MEDICINE

[49 PA. CODE CH. 31]  
Professional Conduct

The State Board of Veterinary Medicine (Board) proposes to amend § 31.21 (relating to Rules of Professional Conduct for Veterinarians) to read as set forth in Annex A.

The purpose of the proposal is to amend Principle 7 of the Rules of Professional Conduct for Veterinarians pertaining to "Veterinarian/Client Relationships," by modifying the existing requirement that veterinarians may not abandon an animal after a veterinarian/client relationship has been established without giving at least 30 days written notice to the client of the veterinarian's intention to withdraw his services.

The Rules of Professional Conduct for veterinarians were adopted March 19, 1994 (24 Pa.B. 1481). Since that date, the Board has received numerous letters from veterinarians across this Commonwealth objecting to the 30-day notice requirement as being unduly burdensome on veterinarians (especially when faced with an abusive client or a client that demands services which the client is unable to afford). Other veterinarians objected to the 30-day notice requirement on the basis that it does not allow veterinarians to discontinue treatment of a case when the veterinarian is of the professional opinion that the only appropriate treatment is euthanasia.

After having carefully considered the views and comments of these veterinarians, the Board agrees that an amendment is in order. The Board is therefore proposing to amend Principle 7 by allowing veterinarians to withdraw their services after a veterinarian/client relationship has been established by giving notice to the client of the veterinarian's intention to withdraw his services in sufficient time to allow the client to obtain the services of another veterinarian, or after 48 hours of documented oral notice is provided, whichever occurs first. The Board is of the view that the proposal will allow veterinarians more flexibility in terminating a relationship with an abusive or demanding client without jeopardizing the client's ability to obtain the services of another licensed veterinarian.

### *Fiscal Impact*

The proposed amendment will have no negative fiscal impact upon the Commonwealth, its political subdivisions or the general public.

### *Paperwork Requirements*

The proposed amendment will not result in additional paperwork requirements.

### *Statutory Authority*

The amendment is proposed under the dual authority of section 5(1) and (2) of the Veterinary Medicine Practice Act (63 P. S. § 485.5(1) and (2)). Section 5(1) of the act empowers the Board to adopt reasonable rules and regulations governing the practice of veterinary medicine as are necessary to enable it to carry out and make effective the purpose and intent of the act. Section 5(2) of the act empowers the Board to adopt rules and regulations of

professional conduct appropriate to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine.

### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), a copy of this proposal was submitted on September 24, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Professional Licensure and the Senate Committee on Consumer Protection and Professional Licensure. In addition to submitting the proposal, the Board has provided IRRC and the Committees with a copy of a regulatory analysis form. A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed amendment, it will notify the Board within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulation, by the Board, the General Assembly and the Governor of objections raised.

### *Public Comment*

Interested parties are invited to submit written comments, suggestions or objections regarding the proposed amendment to Deborah B. Eskin, Counsel, State Board of Veterinary Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days following publication of the proposed amendment in the *Pennsylvania Bulletin*.

WILLIAM L. SHEPERD, V.M.D.,  
*Chairperson*

**Fiscal Note:** 16A-575. No fiscal impact; (8) recommends adoption.

### **Annex A**

**TITLE 49. PROFESSIONAL AND  
VOCATIONAL STANDARDS**  
**PART I. DEPARTMENT OF STATE**  
**Subpart A. PROFESSIONAL AND  
OCCUPATIONAL AFFAIRS**  
**CHAPTER 31. STATE BOARD OF  
VETERINARY MEDICINE**  
**PROFESSIONAL CONDUCT**

### **§ 31.21. Rules of Professional Conduct for Veterinarians.**

#### **Preamble**

The Board is empowered under section 5(2) of the act (63 P. S. § 485.5(2)), to adopt rules and regulations of professional conduct appropriate to establish and maintain a high standard of integrity, skill and practice in the profession of veterinary medicine. In accordance with this authority, the Board has determined that the following rules are necessary in the public interest to protect the public against unprofessional conduct on the part of veterinarians. The Board therefore adopts this professional conduct code for veterinarians practicing veterinary medicine in this Commonwealth. Some of the rules of conduct are imperatives, cast in the terms, "shall" or "may not." Veterinarians who fail to adhere to these rules will be subject to professional discipline. Other rules, generally cast in the terms "may" or "should," are in-



tended as aspirational goals and define areas under which the veterinarian has professional discretion. No disciplinary action will be taken when a veterinarian acts within the bounds of discretion. References throughout this professional conduct code to imperative conduct on the part of veterinarians shall also apply to applicants for licensure and temporary permit holders [ **where** ] when these persons render services under qualified supervision.

\* \* \* \* \*

**Principle 7. Veterinarian/client relationships.**

\* \* \* \* \*

(h) Veterinarians may not abandon an animal after a veterinarian/client relationship has been established [ **without giving at least 30 days written notice to**

**the client of the veterinarian's intention to withdraw his services to allow the client to obtain the services of another veterinarian ]. Veterinarians may withdraw their services after a veterinarian/client relationship has been established, by giving notice to the client of the veterinarian's intention to withdraw his services in sufficient time to allow the client to obtain the services of another veterinarian, or after 48 hours of documented oral notice is provided, whichever occurs first.**

[Pa.B. Doc. No. 96-1671. Filed for public inspection October 4, 1996, 9:00 a.m.]

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# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Reorganization of the Department of Education

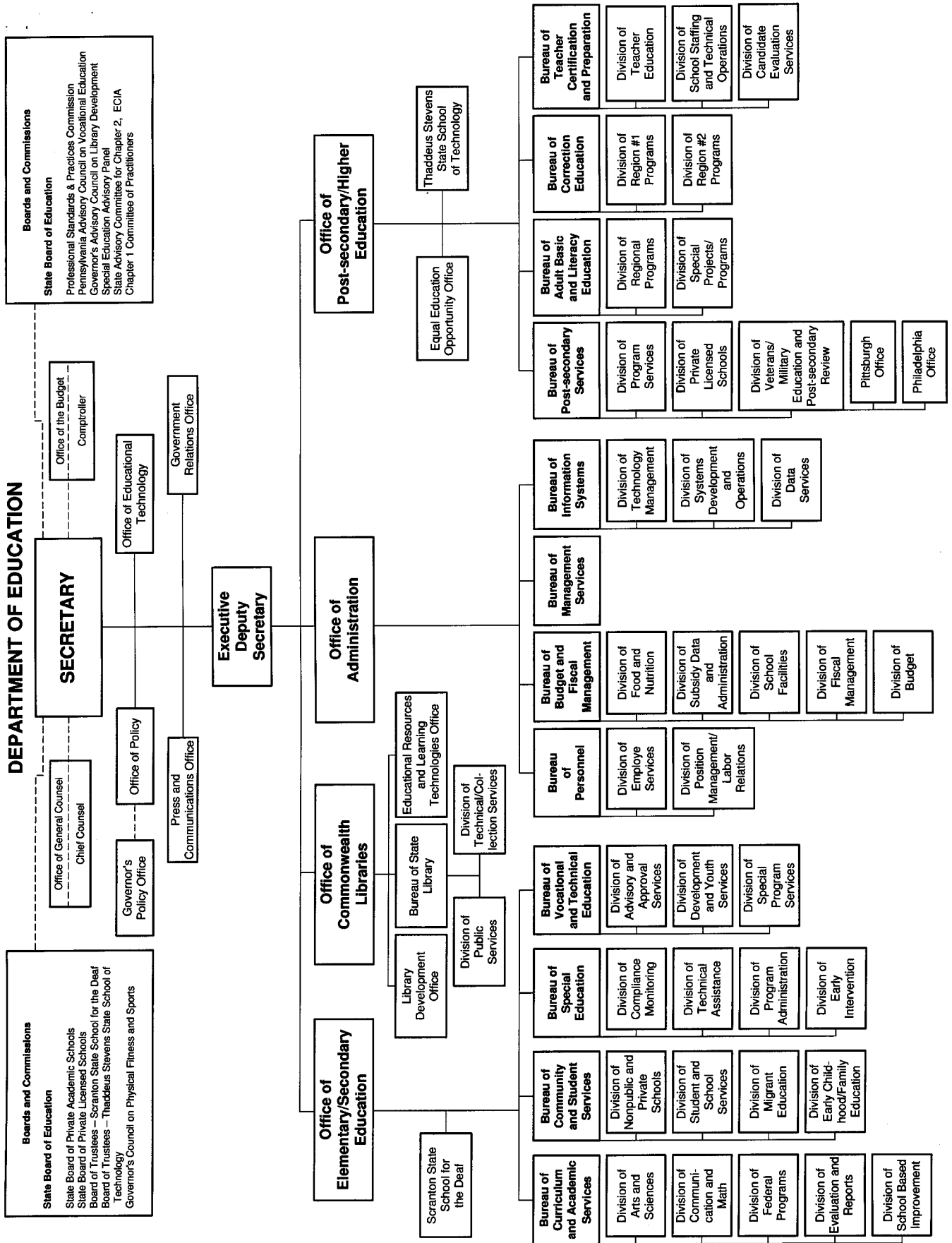
The Executive Board approved a reorganization of the Department of Education effective September 23, 1996.

The organization chart at 26 Pa.B. 4768 (October 5, 1996) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 96-1672. Filed for public inspection October 4, 1996, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 24, 1996.

### BANKING INSTITUTIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Location</i>	<i>Location</i>	<i>Action</i>
9-19-96	Parkvale Savings Bank Monroeville Allegheny County  Purchase of assets/assumption of liabilities of one branch office of First Home Savings Bank, FSB, Pittsburgh, located at:  Crafton-Ingram Shopping Center Pittsburgh Allegheny County	Monroeville	Filed

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-13-96	The York Bank and Trust Company York York County	Weis Market 2850 Carlisle Road Dover Township York County	Opened
9-13-96	The York Bank and Trust Company York York County	Weis Market 2400 E. Market St. York York County	Opened
9-13-96	The York Bank and Trust Company York York County	Weis Market 2160 White Street York York County	Opened
9-19-96	Mauch Chunk Trust Company Jim Thorpe Carbon County	Redner's Market 184 Market Street Nesquehoning Carbon County	Approved
9-20-96	The Peoples State Bank East Berlin Adams County	Northwest Corner of Baltimore St. and Grandview Road Hanover York County	Filed
9-24-96	Mifflinburg Bank and Trust Company Mifflinburg Union County	Route 2 Market Drive Spring Mills Centre County	Approved
9-24-96	United Savings Bank Philadelphia Philadelphia County	301 Baltimore Pike Springfield Delaware County	Approved
9-24-96	Berks County Bank Reading Berks County	K-Mart Shopping Plaza Route 724 Parkside Avenue Cumru Township Berks County	Approved

**Branch Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-19-96	Laurel Bank Ebensburg Cambria County	At: 1304 William Penn Highway Conemaugh Cambria County	Approved
	To: Johnstown Bank and Trust Company Johnstown Cambria County	At: 50 Main Street Conemaugh Cambria County  or 2690 William Penn Ave. Suite 5 Conemaugh Cambria County	

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-16-96	Bank of Hanover and Trust Company Hanover York County	To: Grandview Plaza 1416 Baltimore St. Hanover York County  From: 1049 Baltimore St. Hanover York County	Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-1673. Filed for public inspection October 4, 1996, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Local Government Capital Projects Loan Program

#### *Application Notice*

The Department of Community and Economic Development (DCED) announces the opening of the application period of funding for the Local Government Capital Projects Loan Program for State Fiscal Year 1996-97. Loan applications will be accepted at the Center for Local Government Services, Room 325 Forum Building, Harrisburg, PA 17120. Applications must be received on or before 4:30 p.m., December 13, 1996. No applications will be accepted after that time.

The purpose of the program is to provide low interest loans to municipalities with populations of 12,000 or less for the purchase of equipment and the purchase, construction, renovation or rehabilitation of municipal facilities. The program is intended to give small local governments, who find the cost of borrowing at conventional rates to be prohibitive, an opportunity to secure needed funds at an interest rate of 2.0% per annum. Repayment will be made over a period not to exceed 10 years or the useful life of the equipment or facilities, whichever is less.

Authority for the Local Government Capital Projects Loan Program is provided in Act 210 of 1990, the Local Government Capital Projects Loan Fund Act.

#### *Application Information*

Three copies of the completed application must be submitted on forms provided by the Department by the above date. Copies of the application forms, application instructions and other information are available upon request to the Governor's Regional Office or DCED Regional Office at the addresses and telephone numbers listed below or the Center for Local Government Services, Room 325 Forum Building, Harrisburg, PA 17120, (717) 787-8169 or (888) 223-6837.

Persons with a disability who wish to submit an application in accordance with the provisions stated herein and require assistance with that application and persons who require copies of this notice in an alternate format (large type, braille, and the like) should contact Fred A. Reddig, Center for Local Government Services, (717) 787-8169 to discuss how the Department may best accommodate their needs.

Applications should be addressed to: Pennsylvania Department of Community and Economic Development, Center for Local Government Services, Room 325 Forum Building, Harrisburg, PA 17120.

Applications and program information can be obtained from the Local Government Policy Specialist at the addresses listed below.

*Regional Offices*

Region I—

Governor's Southeast Regional Office  
Belvue Stratford  
200 South Broad Street—11th Floor  
Philadelphia, PA 19102  
(215) 560-2640

Region II—

PA Department of Community and Economic  
Development  
Northeast Regional Office  
Room 201, Samters Building  
101 Penn Avenue  
Scranton, PA 18503-4571  
(717) 961-4598

Region III/IV—

PA Department of Community and Economic  
Development  
Central Pennsylvania Regional Office  
578 Forum Building  
Harrisburg, PA 17120  
(717) 787-7347

Region V—

Governor's Southwest Regional Office  
1403A State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
(412) 565-2552

Region VI—

Governor's Northwest Regional  
100 State Street  
Suite 202  
Erie, PA 16507  
(814) 878-5719

THOMAS B. HAGEN,  
*Secretary*

[Pa.B. Doc. No. 96-1674. Filed for public inspection October 4, 1996, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Johnson Technical Institute for Approval of Change of Status from a Private Licensed School to a 2-year Degree-Granting College; Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Johnson Technical Institute, Scranton, Pennsylvania for a Certificate of Authority approving the institution's request to change status from a private licensed school to a 2-year degree-granting college.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-6576 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Department may best accommodate their needs.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 96-1675. Filed for public inspection October 4, 1996, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

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

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

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

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

**PA 0217387.** Industrial waste, SIC: 2813 and 4213, **BOC Gases**, 575 Mountain Avenue, Murray Hill, NJ 07974-2082.

This application is for issuance of an NPDES permit to discharge treated process water from the Braddock Facility in Braddock Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is American Water Company, located at Pittsburgh, PA, 6.0 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.12 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
TRC			0.5		1.25
Temperature					110°F
pH	6.0—9.0				

Outfall 101: new discharge to Outfall 001 (0.0057).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
TSS			30		60
Iron			2		4
Aluminum			4		8
Manganese			1		2
pH	6.0—9.0				

Outfall 201: new discharge to Outfall 001 (0.0057).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
TSS			30		60
Iron			2		4
Aluminum			4		8
Manganese			1		2
pH	6.0—9.0				

The EPA waiver is in effect.

**PA 0044431.** Sewage, **Fairfield Manor, Inc.**, 4158 Old William Penn Highway, Murrysville, PA 15668.

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

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

Outfall 001: existing discharge, design flow of .03 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(10-1 to 4-30)	4.5			9.0
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	0.2			0.5
Dissolved Oxygen	not less than 5.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0217441.** Sewage, **Robert D. Kalina**, R. D. 2, Boswell, PA 15531.

This application is for issuance of an NPDES permit to discharge treated sewage from the Kalina Subdivision Sewage Treatment Plant in Jenner Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Roaring 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 Greater Johnstown Water Authority located on the Quemahoning Reservoir.

Outfall 001: new discharge, design flow of 0.0021 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

*Northcentral Region, Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, telephone (717) 327-3666.*

**PA 0209422.** Industrial waste, SIC: 5151, **Williams Oil Company, Inc.**, P. O. Box 207, Towanda, PA 18848.

This proposed action is for issuance of an NPDES permit for a new discharge of treated stormwater to unnamed tributary of Susquehanna River in North Towanda Township, **Bradford County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Water Authority located at Danville.

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

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
Total Recoverable					
Petroleum Hydrocarbons	monitor and report				
pH	monitor and report				

The EPA waiver is in effect.

**PA 0209414.** SIC: 5441, **Amerada Hess Corp.**, 1 Hess Plaza, Woodbridge, PA 18017.

This proposed action is for issuance of an NPDES permit for a new discharge of treated industrial wastewater to Fishing Creek in Bloomsburg, **Columbia County**.



The receiving stream is classified for the following uses: warm water fishery and 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 downstream potable water supply (PWS) considered during the evaluation is the Sunbury Municipal Authority located at Sunbury.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0288 mgd, are:

<i>Parameter</i>	<i>Monthly Average (ug/l)</i>	<i>Instantaneous Maximum (ug/l)</i>
Benzene	1	2.5
Total BETX**	100	250
Ethylbenzene	monitor	
Toluene	monitor	
Xylene	monitor	
Napthalene	monitor	

The EPA waiver is in effect.

**PA 0114979.** Sewerage, SIC: 4952, **Borough of Knoxville**, P. O. Box 191, Knoxville, PA 16928.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Cowanesque River in Knoxville Borough, **Tioga County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes 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 assumed to be the Pennsylvania New York border located at 22 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.07 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Phosphorus as P	2.0	3.0	4.0
Total Residual Cl <sub>2</sub>	1.0		2.3
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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

**PA 0222119.** Sewage. **Mark A. Summers**, (Carriage Inn), 3050 Ellwood Road, New Castle, PA 16101.

This application is for a new NPDES permit to discharge treated sewage to unnamed tributary to Big Run in Shenango Township, **Lawrence County**. This is a new discharge.

The receiving water is classified for the following uses: warm 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 considered during the evaluation is the Municipal Authority of the Township of North Sewickley on Beaver River, located at North Sewickley, approximately 27 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .004 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15	30
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	2	4
(11-1 to 4-30)	6	12
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,900/100 ml as a geometric average	
Total Residual Chlorine	.11	.26
Dissolved Oxygen	minimum of 4 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0101095.** Sewage. **John Handley** (Sportsman's Lodge), R. D. 1, Box 133, Sigel, PA 15860.

This application is for a renewal of an NPDES permit to discharge treated sewage to Clarion River in Spring Creek Township, **Elk County**. This is an existing discharge.

The receiving water 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 considered during the evaluation is the Western Pennsylvania Water Company—Clarion District intake on the Clarion River located at Clarion, approximately 36 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.00035 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	100,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0024571.** Amendment No. 1. Sewage. **Municipal Sewer and Water Authority of Cranberry Township**, 2525 Rochester Road, Suite 700, Cranberry Township, PA 16066-6498.

This application is for an amendment of an NPDES permit to discharge treated sewage to Brush Creek in Cranberry Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: warm 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 considered during the evaluation is the Municipal Authority of the Township of North Sewickley intake on the Beaver River located in North Sewickley Township, Butler County, approximately 25 miles below point of discharge.

The proposed interim effluent limits for Outfall No. 001, based on a design flow of 3.0 mgd, are:

(Interim Limits)

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
TSS	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	2		4
(11-1 to 4-30)	6		12
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,200/100 ml as a geometric average		
Phosphorus (as P) (4-1 to 10-31)	2		4
Total Residual Chlorine	monitor and report		
Dissolved Oxygen	minimum of 5 mg/l at all times		
pH	6.0—9.0 at all times		

The proposed final effluent limits for Outfall No. 001, based on a design flow of 4.5 mgd, are:

(Final Limits)

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
TSS	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	2		4
(11-1 to 4-30)	6		12
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,100/100 ml as a geometric average		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Phosphorus (as P) (4-1 to 10-31)	2		4
Total Residual Chlorine	0.02		0.1
Dissolved Oxygen	minimum of 5 mg/l at all times		
pH	6.0—9.0 at all times		

The EPA waiver is not in effect.

**PA 0104353.** Sewage. **Oak Leaf Estates—Lemick, Inc.**, 88 Mitchell Road West, Middlesex, PA 16159.

This application is for renewal of an NPDES permit to discharge treated sewage to unnamed tributary to Shenango River in Shenango Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm 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 considered during the evaluation is the Western PA Water Intake on the Shenango River located at New Castle, approximately 13.5 miles below point of discharge.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0210102.** Sewage. **Brett Gassner**, 300 Gilkey Road, West Middlesex, PA 16159.

This application is for a renewal of an NPDES permit to discharge treated sewage to an unnamed tributary to Shenango River in Shenango Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm 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 considered during the evaluation is the Shanango River by the New Castle District Pennsylvania-American Water Company at River Mile 5.50 which is 15.83 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.000400 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	30
TSS	30	60
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	monitor and report	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0092819.** Sewage. **Fair Winds Manor Incorporated**, 126 Iron Bridge Road, Sarver, PA 16055.

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

The receiving water is classified for the following uses: high quality trout stocked 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 New Kensington Municipal Water Company on the Allegheny River located at the City of Kensington, approximately 21 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.013 mgd, are:

<i>Parameter</i>	<i>Average</i>	
	<i>Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 6 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0102296.** Sewage, **Stephen M. Bartone**, 110 Garden Street, Conneaut, OH 44030.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage from Bartone's Stateline Service Center to an unnamed tributary to Raccoon Creek in Springfield Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water and migratory fishery, aquatic life and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Erie municipal water intake, approximately 23 miles below the point of discharge.

The proposed effluent limits for Outfall 001, based on average design flow of 0.0115 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Phosphorus as "P"	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	monitor and report	
(interim)		
(final)	0.50	0.750
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

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

**PA 0087378.** Industrial waste, SIC: 3489, **Department of the Army**, Letterkenny Army Depot, Franklin Street Extended, Chambersburg, PA 17201-4150.

This application is for issuance of an NPDES permit for an existing discharge of treated groundwater to Rowe Run, in Green Township, **Franklin County**.

The receiving stream is classified for cold water fishery, recreation, water supply and aquatic life. The existing downstream potable water supply intake considered during the evaluation was Conodoguinet Creek located in Carlisle Borough. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of .115 mgd are:

<i>Parameter</i>	<i>Average</i>	
	<i>Monthly (wg/l)</i>	<i>Instantaneous Maximum (wg/l)</i>
pH (s.u.)	from 6.0—9.0 inclusive	
1,1-Dichloroethylene	3.5	7.0
Tetrachloroethylene	2.5	5.0
Trichloroethylene	2.5	5.0
Vinyl Chloride	1.0	2.0
Methylene Chloride	2.5	5.0

The EPA waiver is in effect.

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


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The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (DEP) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management, and total residual chlorine control (TRC). Any major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provision 40 CFR 123.6E.

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

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

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on DEP's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0085014	Conestoga Township 1956 Milton Grove Rd. Mount Joy, PA 17552	Lancaster Conestoga	Pequea Creek	N/A
PA0021202	East Berlin Borough 128 Water Street East Berlin, PA 17316	Adams East Berlin	Conewago Creek	N/A
PA0021865	Borough of Adamstown P. O. Box 546 98 Lancaster Avenue Adamstown, PA 19501	Lancaster East Cocalico	Little Muddy Creek	N/A

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

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

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

garding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

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

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

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

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

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

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

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

*Bedford County Conservation District, District Manager, Fairlawn Ct. Ste. 4 702 W. Pitt St., Bedford, PA 15522, telephone (814) 623-6706.*

**NPDES Permit PAS100411.** Stormwater. **Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, 122 S. Center Street, Ebensburg, PA 15931 has applied to discharge stormwater from a construction activity located in Broad Top Township, **Bedford County**, to Longs Run.

*Bucks County Conservation District, District Manager, 924 Town Center, New Britain, PA 18901, telephone (215) 345-7577.*

**NPDES Permit PAS10D083.** Stormwater. **Cedar Crest Ltd. Partnership**, 1795 S. Easton Road, Doylestown, PA 18901 has applied to discharge stormwater from a construction activity located in Doylestown Township, **Bucks County**, to Neshaminy Creek.

*Butler County Conservation District, District Manager, 122 McCune Drive, Butler, PA 16001-6501, telephone (412) 284-5270.*

**NPDES Permit PAS10E058.** Stormwater. **Jeffrey Meyerl**, Bewar Paw Properties Inc., 108 Lakeland Drive, Mars, PA 16046 has applied to discharge stormwater from a construction activity located in Cranberry Township, **Butler County**, to UNT to Brush Creek.

*Lackawanna County Conservation District, District Manager, 395 Bedford St., Bedford Station, Clarks Summit, PA 18411, telephone (717) 587-2607.*

**NPDES Permit PAS10N021.** Stormwater. **Anthony Rinaldi**, Greenview Development, Inc., Scranton Life Building, 5th Floor, Scranton, PA 18503 has applied to discharge stormwater from a construction activity located in Throop Borough, **Lackawanna County**, to the Lackawanna River.

*Mifflin County Conservation District, District Manager, 20 Windmill Hill #4, Burnham, PA 17009, telephone (717) 248-4695.*

**NPDES Permit PAS104501.** Stormwater. **Department of Transportation**, 1924-30 Daisy Street, Clearfield, PA 16830 has applied to discharge stormwater from a construction activity located in Brown and Armagh Townships, **Mifflin County**, to Tea, Honey, Laurel and Lingle Creeks.

*Montgomery County Conservation District, District Manager, 1015 Bridge Road, Ste. B, Collegetown, PA 19426, telephone (610) 489-4506.*

**NPDES Permit PAS10T071.** Stormwater. **Pottsgrove School District**, 1301 Kauffman Road, Pottstown, PA 19464 has applied to discharge stormwater from a construction activity located in Upper Pottsgrove Township, **Montgomery County**, to Sprogels Run.

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

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

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

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

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

**A. 2685407.** Sewerage, **Fairchance-Georges Joint Municipal Sewage Authority**, 125A West Church Street, Fairchance, PA 15436. Application for modification to the existing wastewater treatment plant consisting of new equalization tank, and replacement of existing raw sewage pumps, and replacement of coarse bubble aeration system with fine bubble aeration system, new yard piping, located in the Township of Georges, **Fayette County** to serve the Fairchance-Georges STP.

**A. 5696408.** Sewerage, **Somerset Borough Municipal Authority**, 340 W. Union St., Somerset, PA 15501. Application for construction of a parallel sewer line along Parsons Run to serve portions of Somerset Township and Somerset Borough located in **Somerset County**. The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Sewage Facilities Plan Revision has not identified any significant environmental impacts resulting from this proposal.

**A. 6396409.** Sewerage, **South Strabane Township Sanitary Authority**, 550 Washington Road, Washington, PA 15301. Application for the construction of a pump station, force main and parallel relief lines to replace the existing Windsor Highlands Sewage Treatment Plant located in the Township of South Strabane, **Washington County**. The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's

State Revolving Fund has been identified as a possible funding source. The Department's review of the Sewage Facilities Plan Revision has not identified any significant environmental impacts resulting from this proposal.

**A. 6593401.** Sewerage, **Derry Township Municipal Authority**, P. O. Box 250, New Derry, PA 15671-0250. Application for construction of gravity sewer extensions to the Kingston, Elmadale and Oaklawn Meadows areas of the Township and construction of a sewage pumping station at Elmadale. The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Sewage Facilities Plan Revision has not identified any significant environmental impacts resulting from this proposal.

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

**A. 0596407.** Sewerage, **Vincent J. Capricci**, 11701 Woodlea Drive, Waynesboro, PA 17268 to construct an individual residence small flow treatment facility in Monroe Township, **Bedford County** was received in the Southcentral Regional office on September 13, 1996.

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

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

**A. 3896504.** Public water supply. **Mt. Gretna Heights Association, Inc.**, W. Cornwall Township, **Lebanon County**, (Max Hunsicker, Secretary on the Board of Directors, P. O. Box 391, Mt. Gretna, PA 17064), installation of soda ash/caustic soda injection system for pH adjustment and a polyphosphate injection system for iron sequestration and corrosion control, (David J. Gettle, P. E., Kohl Bros., Inc., P. O. Box 350, Myerstown, PA 17067).

**A. 3696502.** Public water supply. **Bainbridge Water Authority**, Conoy Township and the Village of Bainbridge, **Lancaster County**, (Charles Emerick, Chairperson, P. O. Box 338, Bainbridge, PA 17502), installation of a corrosion control treatment system to combat lead and copper corrosion. An ortho/polyphosphate will be used as the chemical of choice, (Michael S. Moulds, P. E., RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603).

**A. 3696504.** Public water supply. **Timber Villa, Inc.**, West Donegal Township, **Lancaster County**, (David G. Heisey, President, 1898 N. Market Street, Elizabethtown, PA 17022), permit an existing public water supply system which consists of five wells, transmission main, distribution mains, disinfection, 60,000 gallon storage tank and a booster pump station, (Kent Bachmann, Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011).

**A. 0196502.** Public water supply. **Hoffman Homes For Youth, Inc.**, Mt. Joy Township, **Adams County**, (Kurt Hagmayer, Residential Services Manager, 819 Orphanage Road, Littlestown, PA 17340), new well to serve an existing community water supply. Also proposing to modify disinfection facilities and begin phosphate addition for corrosion control, (Kent Bachmann, P. E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011).

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

**A. 2596505.** Public water supply. **Albion Borough Municipal Authority**, 15 Smock Avenue, Albion, PA 16401-1113. This proposal involves the construction of two groundwater production wells (Gage Road and Pomeroy), construction of 3000+ feet of 6" PVC transmission main, construction of water treatment system for iron and manganese removal and pressure filtration, and the installation of a settling tank for backwash water treatment in Albion Borough, **Erie County**.

#### **Acknowledgment of Notices of Intent to Remediate**

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

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

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

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

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

**Coleman Residence**, Coaldale Borough, **Schuylkill County**. Glen E. Rieger, Senior Engineer with Environmental Strategies Corporation, Four Penn Center West, Suite 315, Pittsburgh, PA (on behalf of his clients Thomas and Kimberly Coleman, 53 East Phillips Street, Coaldale, PA) has submitted a Notice of Intent to Remediate site soils contaminated with petroleum hydrocarbons. The applicant proposes to meet the Statewide health standard.

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

**The William J. Bainbridge Technology Center**, R. D. 2 Dunham Road, City of Meadville, **Crawford County**, has submitted a Notice of Intent to Remediate Soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Background Standard. A summary of the Notice of Intent to Remediate was published in the *Meadville Tribune* on September 6, 1996.

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified below, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified below. During this comment period, a municipality may request that the person identified below, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

**Constantin Pontiac**, City of Pittsburgh, **Allegheny County**. Estate of Jean Constantin, c/o Evashavik and Della Vecchia, Suite 520, Grant Building, 310 Grant Street, Pittsburgh, PA 15219-2203 and Antspace Projects, Inc., d/b/a Artists and Cities, 4551 Forbes Avenue, Third Floor, Pittsburgh, PA 15213 has submitted a Notice of Intent to Remediate soil and groundwater contaminated

with BTEX and TPH. The applicant proposes to remediate the site to meet a site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on August 15, 1996.

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### Prompt Interim Response

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Laing Landfill Site  
Cranberry Township, Venango County

This Notice of Prompt Interim Response is being issued by the Department of Environmental Protection (Department) to provide a description of the prompt interim response for the Laing Landfill Site (site) in Cranberry Township, Venango County, Pennsylvania, under section 506 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.506).

#### 1. Site Location and Description

The site is located approximately 1,000 feet southwest of Victory Church Road and approximately 4,000 feet south of the intersection of Route 322 and Victory Church Road in Cranberry Township, Venango County, Pennsylvania. The site may be located on the United States Geological Survey Kennerdell 7.5 minute topographic map at 41° 21' 20" north latitude and 79° 46' 03" west longitude.

The site covers approximately 23 acres and includes a landfill formerly operated by A. C. Laing and Michael Laing, d/b/a Laing Demolition Contractors. The landfill covers approximately 4 acres within the site.

Also within the site are four areas with abandoned drums, an open-ended storage shed, an above ground petroleum storage tank, an abandoned trailer, an abandoned one-story house/office, and small areas containing municipal and demolition wastes. Surface water drains off the landfill into the Allegheny River approximately 4,000 feet southwest of the site.

The site property was purchased by Alex Campbell (A. C.) Laing and Patricia L. Laing in 1975. From April 14, 1975 to April 16, 1987, A. C. Laing, and his son, Michael Laing, doing business as "Laing Demolition Contractors," operated the landfill at the site under Department Solid Waste Permit No. 101000. On April 16, 1987, the Department issued an Order that suspended Solid Waste Permit #101000.

On May 18, 1987, a Department inspection of the landfill showed that 20 to 25 drums were located near the open-ended storage shed, and a total of 40 or more drums were located throughout the site. The Department requested that A. C. Laing identify the contents of the drums, in writing, to the Department, and provide a cleanup plan for the contaminated soil in the drum area near the entrance gate. A. C. Laing did not comply with the request.

After the Department's adoption on April 9, 1988, of new regulations pertaining to construction/demolition waste landfills, the Department sent numerous Notices of Violation to Laing Demolition Contractors to properly close the landfill. The landfill was never properly closed. A. C. Laing died on February 27, 1988, without a will, Patricia L. Laing died earlier. The site property is currently owned by the estate of A. C. Laing. On February 1, 1996, the Department filed a court order in the Venango County, Pennsylvania Recorder of Deeds Office noting the presence of hazardous substances at the site.

#### 2. Release and Threat of Release of Hazardous Substances



On August 26, 1992, Tetra Tech, Inc. conducted a Screening Site Inspection (SSI) of the site for the United States Environmental Protection Agency (EPA). Photographs in the SSI document show drums present at the site. The SSI document also noted that the site was heavily vegetated. Tetra Tech, Inc. sampled soil, surface water, sediment and home wells, but did not sample the drums.

The analysis of the soil samples from an area of puddled product near drums at the entrance gate, showed that the soil was contaminated with polychlorinated biphenyls (PCBs), toluene, xylenes, polynuclear aromatic hydrocarbons (PAHs) and pesticides. Another soil sample from the drum area near the open-ended storage shed showed that the soil was contaminated with benzo(a)pyrene, pesticides, PAHs and zinc. The chemicals listed above are "hazardous substances" as defined under section 103 of HSCA (35 P. S. § 6020.103).

On October 20, 1995, Department inspectors observed trespassers using the site for hunting. Direct contact with drum contents and contaminated soil is the greatest threat to trespassers. Also, the drums and containers present at the site are unsecured and improperly stored, and have the potential for a further release into the environment if vandalized.

On July 1, 1996, the Department analyzed the contents of the drums at the site and installed monitoring wells at the site. The drums contained hazardous wastes based on the ignitability of the contents and the leachable lead in the drum contents.

### 3. *Alternative Responses Considered*

The two main objectives of the prompt interim response action proposed for the site are: 1) to protect the public and environmental receptors from direct contact with site-related hazardous substances, and 2) to eliminate the ongoing release and threat of release of hazardous substances into the environment from containerized waste and contaminated soil at the site.

The Department considered four alternatives to the prompt interim response action at the site to meet those objectives:

- 1) No Action
- 2) Fence
- 3) Drum Removal
- 4) Drum and Soil Removal

In light of the objectives stated above, the Department evaluated each alternative to determine: the extent to which each alternative protects the public and the environment; the extent to which each alternative complies with or otherwise addresses the Land Recycling and Environmental Remediation Standards Act, the Solid Waste Management Act, the Clean Streams Law and other Applicable or Relevant and Appropriate Requirements (ARARs); the extent to which each alternative is feasible, effective, implementable and permanent; and the relative cost effectiveness of each alternative.

#### Alternative 1. No Action

A "No Action" alternative provides a baseline for comparison to other alternatives. Because no action would be implemented, any present or future risks to human health, safety or the environment would remain unchanged. No costs would be incurred under this response.

#### Alternative 2. Fence

This alternative would involve the installation of a fence around the drum areas to restrict access to containerized waste and contaminated soil at the site. The capital, operation and maintenance, and total present worth costs of this alternative would be \$49,674, \$77,720 and \$127,394, respectively.

#### Alternative 3. Drum Removal

This alternative would involve all the components of Alternative 2, above, and the testing, and if necessary, removal and offsite disposal of all containers with hazardous substances. Following waste removal, any empty containers will be crushed and consolidated for offsite disposal or recycle/reuse. The capital, operation and maintenance, and total present worth costs of this alternative are \$284,456, \$77,720 and \$362,176, respectively.

#### Alternative 4. Drum and Soil Removal

With the exception of the fence, this alternative would involve all of the components of Alternative 3, above, plus the testing, and if necessary, the removal and offsite disposal of contaminated soil from the drum areas. Because the site is located in a residential area, soil contaminated with hazardous substances above the Department's Statewide Health Standards for Soils (residential) would be removed. The capital, operation and maintenance, and total present worth costs of this alternative are \$294,105, \$0 and \$294,105, respectively.

### 4. *Comparison of Alternatives*

The Department believes that prompt action is necessary to protect the public health, safety and the environment from the risks associated with the containerized wastes abandoned at the site, the hazardous substances in site soil, and any hazardous substances that may have been disposed at the landfill. As noted in the facts, the notice of hazardous substances is already in the deed records. Action should not be delayed for the length of time that it would take to formally develop and close an administrative record for the action. The Department estimates that prompt action will cost less than \$2 million and take less than 1 year to complete. Accordingly, the Department proposes to conduct a prompt interim response action at the site under section 505(b) of HSCA (35 P. S. § 6020.505(b)).

Alternative 1 would be the least costly response alternative, but would provide no increased protection for the public and the environment. Alternative 2 would be less costly than Alternatives 3 or 4. Alternative 2 would reduce risks to the public by preventing direct contact with containerized waste and contaminated soil. However, Alternative 2 would not protect the environment and would not be cost effective over the long-term because the release and threat of release of hazardous substances would still exist at the site, those releases may exacerbate the problems associated with site contamination, and those releases may have to be addressed in the future.

Alternative 4 would be less costly than Alternative 3 because Alternative 3 includes the cost for a fence and fence replacement after 15 years. Although it is the most costly alternative, Alternative 3 would provide less protection to the public and the environment than Alternative 4, because Alternative 3 would allow more hazardous substances to remain onsite (for example, in contaminated area soils).

Alternative 4 would be the most cost-effective alternative over both the short and long-term, because it would protect the public and the environment from direct contact with hazardous substances in the containers and

contaminated soil at the site, and because it would eliminate the release and threat of release of hazardous substances into the environment from the containers of waste and contaminated soil.

#### 5. *Proposed Remedy*

Under section 505(b) of HSCA (35 P. S. § 6020.505(b)), the Department proposes to implement Alternative 4 as the prompt interim response at the site. Alternative 4 is proposed because it would, in the most cost effective manner, protect the public and the environment from direct contact with site-related hazardous substances and eliminate the release and threat of release of hazardous substances into the environment from the containers of wastes and contaminated soil.

Although Alternative 4 offers some protection to the public and the environment, it would not be a final remedial response under section 504 of HSCA. Therefore, Alternative 4 is not required to meet the ARARs that apply to final remedial responses. Nonetheless, Alternative 4 is consistent with any future remedial actions that would be expected to be undertaken based on site conditions. Alternative 4 addresses the identified ongoing threats to the public and the environment that require attention prior to the start of any potential future remedial action.

In addition to the prompt interim response action, the Department has installed monitoring wells and will be sampling groundwater to determine if hazardous substances are being released from the landfill to groundwater and surface water. Additional response action may be needed to achieve a complete, permanent and final cleanup for the site. The proposed prompt interim response protects the public health and environment; complies with or otherwise meets all ARARs relating to containerized waste and contaminated soil removal and disposal, but not ARARs relating to landfill closure; is feasible, implementable, permanent and effective to the maximum extent practicable; and is cost effective.

#### 6. *Public Access to The Administrative Record*

An Administrative Record, which contains more detailed information regarding the site, is available for public inspection. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's Northwest Regional Office at 230 Chestnut Street, Meadville, PA 16335. Persons interested in examining the Administrative Record should call the Department's Hazardous Sites Cleanup Program at (814) 332-6648 to make advance arrangements.

The public will have an opportunity to present oral comments regarding the proposed prompt interim response if the Department receives a request for a public hearing. A public hearing can be requested by contacting the Department's Community Relations Coordinator, Steve Curcio at (814) 332-6945 or the site Project Manager, Edward F. Orris, at (814) 332-6648. If no person requests a public hearing, the hearing will not be held. Persons interested in finding out if anyone has requested a public hearing, and if the hearing will be held, should contact Steve Curcio at the telephone number noted above. The public may also submit written comments regarding the Department's proposed prompt interim response action during the period for public comment, which runs from the date of this Notice through December 30, 1996. Written comments should be addressed to Edward F. Orris at the above-noted Department office address.

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**Department initiated general permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste management regulations for a general permit to process or beneficially use residual waste.**

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

This was published at 26 Pa.B. 4273 (August 31, 1996). Please note the change to the last paragraph: Jay Ort will now be replacing Pete Slack as the contact person.

**General Permit No. WMGR038.** Waste tire processing and/or beneficial use. The Department of Environmental Protection, Bureau of Land Recycling and Waste Management, has authorized, under General Permit No. WMGR038, processing and/or beneficial use of waste tires and/or tire-derived material. This is a Statewide general permit.

Under the terms and conditions of the general permit, persons who are approved to process and/or beneficially use waste tires and/or tire derived material will be required to meet, at a minimum, the following: compliance with The Clean Streams Law, compliance with the Solid Waste Management Act, conform with local safety and nuisance control requirements, conformance with isolation distances, maintain records and submit routine operation reports.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), and section 287.611 of the residual waste management regulations to issue general permits for any category of beneficial use or processing that results in beneficial use of residual waste on a regional or Statewide basis when the Department determines that such use does not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard conditions.

The Department has determined the following: waste whole tires and/or tire derived material (TDM); (1) can be used as fuel for cement production, steel production, power generation and other industrial operations; and (2) as feedstock for the production of crumb rubber which, in turn, may be used in such products as new tires, molded rubber products, carpets, flooring, "astroturf" underlay, extruded products, automotive brakes, asphalt modifier for roads and athletic surfaces, moisture retainer for turf development, railroad grade crossings and footwear; and the processing and beneficial use can be adequately regulated using general conditions.

Tire retreading operations will, in effect, be exempt as a "grandfathering" exclusion, provided the storage provisions outlined in these general permit conditions are not violated:

Persons requesting approval to operate under the terms of this general permit will be required to obtain a "Determination of Applicability" from the appropriate Regional Office for each site where tires and/or tire derived materials will be processed or beneficially used. The following minimum information will be required in order to obtain a Determination of Applicability.

- a. Name and address of the applicant.

b. Name and location of the generator of the tires and/or tire derived material being processed or beneficially used.

c. Number and title of the general permit.

d. A detailed site plan.

e. A detailed description of the operation.

f. Proof that the proposed processing and/or beneficial use is consistent with the general permit.

g. A signed statement accepting all conditions of the general permit.

h. Proof of municipal notification.

i. Proof of identification of interests.

j. Compliance history information.

k. An application fee designated by the Department.

l. Proof of right of applicant to enter property and perform activities.

m. A copy of the facilities PPC Plan.

n. An irrevocable written consent from the landowner giving the Department permission to enter the facility.

o. Evidence of comprehensive liability insurance in effect.

p. A written estimate of the maximum number of whole tires and shredded tires onsite for the next 12 months of operation and a copy of the bonding worksheets.

Persons interested in obtaining further information or a copy of this general permit may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472 or Jay Ort, Scrap Tire Program Coordinator, Permits Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

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

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

**A. 603448. Glenn Thrush Farm, Borough of Mt. Holly Springs,** (200 Harmen Street, Mt. Holly Springs, PA 17065). Application for operation of an agricultural utilization of sewage sludge site in Dickinson Township, **Cumberland County**. Application determined to be administratively complete in the Regional Office September 12, 1996.

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

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

**22-323-005A.** Construction of a pyrolysis oven by **Metal Industries Inc. of Cal.** (1517 Route 209, Millersburg, PA 17061) in Upper Paxton Township, **Dauphin County**.

**PA-28-02005A.** Construction of a replacement paint spraybooth by the **Frick Company** (100 C. V. Avenue,

Waynesboro, PA 17268) in Waynesboro, **Franklin County**.

**38-310-017A.** Installation of a portable sand crushing plant by **Tarmac Minerals, Inc.** (P. O. Box 160, Annville, PA 17003) in North Londonderry Township, **Lebanon County**. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for New Stationary Sources.

**38-318-025A.** Construction of a spray paint booth by **Kountry Kraft Kitchens, Inc.** (P. O. Box 570, Newmanstown, PA 17073) in Millcreek Township, **Lebanon County**.

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

**17-327-002.** Construction of an open-top vapor degreaser and associated air cleaning device (a refrigerated chiller) by **Equimeter, Inc.** (P. O. Box 528, DuBois, PA 15801) at Plant 1 in the City of DuBois, **Clearfield County**. This vapor degreaser is subject to Subpart T of the National Emission Standards For Hazardous Air Pollutants.

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

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

**38-318-031.** The Department intends to issue an Air Quality Operating Permit to **Aluminum Company of America** (3000 State Drive, Lebanon, PA 17042) for a laminator in South Lebanon Township, **Lebanon County**.

**44-310-006A.** The Department intends to issue an Air Quality Operating Permit to **Glenn O. Howbaker, Inc.** (P. O. Box 5130, Pleasant Gap, PA 16823) for the modification of their mobil stone crushing plant in Armagh Township, **Mifflin County**. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for New Stationary Sources.

**67-320-022.** The Department intends to issue an Air Quality Operating Permit to **Directory Printing** (Box 158, Connelly Road, Emigsville, PA 19318) for two heatset web offset printing presses controlled by two catalytic incinerators in Manchester Township, **York County**.

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

**04-307-074A.** The Department intends to issue an Air Quality Operating Permit to **Brighton Electric Steel Casting Company**, (P. O. Box 206, Beaver Falls, PA 15010) for electric induction furnaces at its division of J&L Structural located in Beaver Falls, **Beaver County**.

**65-318-046B.** The Department intends to issue an Air Quality Operating Permit to **Perfect Plastics Industries, Inc.**, (14th Street, Building 201, New Kensington, PA 15068) for a paint spray booth at its New Kensington facility located in New Kensington, **Westmoreland County**.

**63-308-039.** The Department intends to issue an Air Quality Operating Permit to **Langeloth Metallurgical Company**, (10 Langeloth Plant Drive, P. O. Box 608, Langeloth, PA 15054) for baghouses on the pure oxide electric furnace at its Langeloth Plant located in Smith Township, **Washington County**.

**65-309-065.** The Department intends to issue an Air Quality Operating Permit to **IA Construction Corporation**, (P. O. Box 348, Punxsutawney, PA 15767) for a baghouse on the asphalt plant at its Torrance Asphalt Concrete facility located in Derry Township, **Westmoreland County**.

**03-309-031.** The Department intends to issue an Air Quality Operating Permit to **Freeport Brick Company**, (Drawer F, Freeport, PA 16229) for a no. 1 tunnel kiln at its Freeport facility located in Freeport Borough, **Armstrong County**.

**63-302-043.** The Department intends to issue an Air Quality Operating Permit to **Wheeling-Pittsburgh Steel Corporation** (1 Wheeling Pittsburgh Steel Drive, Allenport, PA 15412) for a gas/oil fired boiler on boiler no. 2 combination natural at its Allenport Plant located in Allenport Borough, **Washington County**.

**03-308-001.** The Department intends to issue an Air Quality Operating Permit to **Carson Industries, Inc.**, (189 Foreman Road, Freeport, PA 16229) for dust collectors on the aluminum grinding and sand casting operation at its facility located in Freeport Borough, **Armstrong County**.

**26-308-014.** The Department intends to issue an Air Quality Operating Permit to **Sensus Technologies, Inc.**, (450 N. Gallatin Avenue, Uniontown, PA 15401) for a foundry grinding room at its Uniontown Plant located in Uniontown, **Fayette County**.

**30-000-106.** The Department intends to issue an Air Quality Operating Permit to **Carnegie Natural Gas Company**, (800 Regis Avenue, Pittsburgh, PA 15236) for a OEM Retrofit for the natural gas compressor at its Waynesburg Station located in Franklin Township, **Greene County**.

**32-305-043B.** The Department intends to issue an Air Quality Operating Permit to **Milcreek Processing**, (110 Cedar Lane, McMurray, PA 15317) for a water spray truck, road spray system and paved roadway for the coal processing operation at its Challenger Coal Yard located in East Wheatfield Township, **Indiana County**.

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

**14-319-001.** The Department intends to issue an operating permit to **Corning Asahi Video Products Company** (P. O. Box P-9, State College, PA 16801-0009) for the operation of four hard chromium electroplating tanks, four caustic stripping tanks and associated air cleaning devices (a composite mesh pad system and a packed bed scrubber) in College Township, **Centre County**. The electroplating tanks are subject to Subpart N of the National Emissions Standards For Hazardous Air Pollutants.

*Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

The Department intends to issue an Air Quality Operating Permit for the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **45-310-013**  
Source: Stone Crushing Plant w/Sprays  
Company: **Bill Barry Excavating Inc.**  
Location: Barrett Township  
County: **Monroe**

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**Applications received for Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

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*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described for:

Permit: **OP-15-0005**  
Source: Facility NOx Sources  
Company: **West Chester University**  
Location: West Chester  
County: **Chester**

Permit: **OP-46-0003**  
Source: Facility VOC Sources  
Company: **Stroehmann Bakeries, Inc.**  
Location: Plymouth  
County: **Montgomery**

Permit: **OP-23-0033**  
Source: Synthetic Minor VOC Emitting Facility  
Company: **Dee Paper**  
Location: Chester  
County: **Delaware**

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

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*Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **23-312-203**  
Source: Alkylate Storage Tank No. 166  
Company: **Sun Company (R&M), Inc.**  
Location: Marcus Hook  
County: **Delaware**

Permit: **46-313-144**  
Source: 6 Blending & Filling Stations  
Company: **ITW Philadelphia**  
Location: Montgomeryville  
County: **Montgomery**

Permit: **15-307-024**  
Source: Slab Caster Cut-Off Torch  
Company: **Lukens Steel**  
Location: Coatesville  
County: **Chester**

Permit: **46-302-203**  
Source: A Boiler  
Company: **Abington Memorial Hospital**  
Location: Abington  
County: **Montgomery**

Permit: **46-301-261A**  
Source: Sewage Sludge Incinerator  
Company: **Upper Moreland-Hatboro Sewer Authority**  
Location: Upper Moreland  
County: **Montgomery**

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**Reasonably Available Control Technology; Public Hearings**


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The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for a rubber roofing manufacturing facility owned and operated by Carlisle Syntec, Incorporated in Carlisle, Cumberland County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the draft RACT Operating Permit No. 21-2026 for the existing facility to comply with current regulations. Upon final approval of the company's case-by-case analysis, the operating permit will include conditions requiring recordkeeping and reporting of operational data to verify VOC emissions.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 541-7939 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on November 15, 1996, at the Carlisle Community Center, 415 Franklin Street, Carlisle from 1 p.m. until all scheduled comments are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 541-7969 at least one week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Gary Lenz, Air Pollution Control Engineer, One Ararat Boulevard, Harrisburg, PA 17110 on or before November 30, 1996.

Persons with a disability who wish to attend the hearing scheduled for November 15, 1996 at the Carlisle Community Center and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Sandra Roderick directly at (717) 541-7969 or through the AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Approval of Reasonably Available Control Technology (RACT) plan for Westfield Tanning Company.

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a leather manufacturing facility owned and operated by Westfield Tanning Company in Westfield Borough, Tioga County.

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

The preliminary RACT determination, if finally approved, will be incorporated into an operating permit for the facility and will be submitted to the U. S. Environ-

mental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

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

<i>Source</i>	<i>RACT requirement</i>
leather tanning operation	volatile organic compound emissions not to exceed 11.4 tons in any 12 consecutive month period.
leather waterproofing operation	volatile organic compound content of waterproofing compounds in each waterproofing dip tank not to exceed 5.5 pounds per gallon (quarterly average basis) and resultant volatile organic compound emissions from entire leather waterproofing operation not to exceed 55 tons in any 12 consecutive month period.

One public hearing will be held for the purpose of receiving comments on the proposed operating permit and the proposed SIP revision. The hearing will be held on October 30, 1996, at 1 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

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

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

Those unable to attend the hearing, but who wish to comment, should provide written comments to Joseph Cooper, Air Quality Environmental Program Manager, DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by November 14, 1996.

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

Approval of Reasonable Available Control Technology (RACT) Plans for Lafarge Corporation, Whitehall Plant.

The Department of Environmental Protection has made a preliminary determination to approve RACT plans and amendments to the State Implementation Plan (SIP) for the Lafarge Corporation.

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for this facility to comply with correct regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Plan Approvals/Operating Permits for the facility and will be submitted to the U. S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The main sources in Lafarge's facility are three cement kilns No. 1, 2 and 3. The following is the summary of the preliminary RACT determination for this facility:

Source	NOx RACT Limit (30 day rolling ave.)	Control Device	Implementation Schedule
Kiln 1		Permanent Shut Down	3/31/93
Kiln 2	260.5 lbs/hr	LNB, ITE, TDF, LNF	5/31/95
Kiln 3	166.0 lbs/hr	LNB, ITE, TDF, LNF, Control Optimization	5/31/95
Two York Shipley Boilers	Presumptive	25 Pa. Code § 129.93(c)(1)	5/31/95
Two Raw Mill Furnaces	Presumptive	25 Pa. Code § 129.93(c)(1)	5/31/95
One Startup Kiln	Presumptive	25 Pa. Code § 129.93(c)(1)	5/31/95

The Department will establish the final RACT emission limits at a later date based on measured data collected after the installation of certified Continuous Emission Monitors (CEMs).

This facility is not subject to VOC RACT requirements.

A public hearing will be held for the purpose of receiving comments on the proposed Plan Approvals/Operating Permits and the proposed SIP revisions. The hearing will be held on November 13, 1996, at 11 a.m. at the DEP Bethlehem District Office, 4530 Bath Pike, Bethlehem, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Mark Carmon, Community Relations Coordinator, at (717) 826-2511 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with disabilities who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Richard Shudak of DEP at (717) 826-2060 or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

Those unable to attend the hearing, but who wish to comment, should provide written comment to Babu H. Patel, Engineering Services Chief, DEP, 2 Public Square, Wilkes-Barre, PA 18711-0790. Comments should be submitted within 30 days of this publication in the *Pennsylvania Bulletin*.

All the pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. Appointments for scheduling a review may be made by calling (717) 826-2531.

**Application received for Plan Approval under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contaminant sources.**

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

**PA-04-218A. NF & M International, Inc.** (1729 Pennsylvania Avenue, Monaca, PA 15061) for a pickling

operation at its Manufacturing Division facility located in Monaca Borough, **Beaver County**.

**PA-04-688A. Nova Metals L. P.** (2301 Duss Avenue, Suite 14, Ambridge, PA 15003) for a metals reprocessing operation at its Ambridge Regional Center facility located in Ambridge Borough, **Beaver County**.

**Notice of Plan Approval Application Minor Source**

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

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

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

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

**43-304-014.** The Department received a plan approval application for installation of a baghouse (75,000 cfm) on an existing iron foundry inoculation process by **Hodge Foundry** (P. O. Box 550, Greenville, PA 16125) in Hempfield Township, **Mercer County**.

**MINING ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine

Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. Such NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chs. 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor, application number, a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

#### *Coal Applications Received*

**11850103. L & J Energy Company, Inc.**, (P. O. Box 247, Barnesboro, PA 15714), commencement, operation and restoration of bituminous strip mine in Susquehanna Township, **Cambria County**, affecting 98.0 acres, receiving stream west branch of Susquehanna, application received September 18, 1996.

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

**17960116. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701), commencement, operation and restoration of a bituminous surface mine-auger permit in Bell Township, **Clearfield County** affecting 297.6 acres, receiving streams unnamed tributary to Laurel Run and unnamed tributary to Lost Run, both Laurel Run and Lost Run are tributary to east branch Mahoning Creek to Mahoning Creek to Allegheny River, application received September 16, 1996.

**17960117. Thunder Coal Company** (R. D. 1, Box 477, Grampian, PA 16838), commencement, operation and restoration of a bituminous surface mine permit in Pike Township, **Clearfield County** affecting 125.3 acres, receiving streams Hartshorn Run and Welch Run, application received September 19, 1996.

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

**30841316. Consol Pennsylvania Coal Company**, (Waynesburg Operations, P. O. Box 174, Graysville, PA 15337), to revise the permit for the Bailey bituminous deep mine in Richhill Township, **Greene County** for new Crabapple Portal, receiving stream Crabapple Creek. Application received August 13, 1996.

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

**40910201R. Diamond Coal Company, Inc.**, (Route 309 North, Box Q, Milnesville, PA 18239-0185), renewal of a coal refuse reprocessing operation in Hazle Township, **Luzerne County**, affecting 11.8 acres, receiving stream none. Application received September 18, 1996.

**19753004C7. N & L Coal Company**, (5 Brodsky Road, Mt. Carmel, PA 17851), correction to existing surface mining permit to add a new ash source in Conyngham and Union Townships, **Columbia and Schuylkill Counties**, affecting 643.0 acres, receiving stream Mahanoy Creek. Application received September 17, 1996.

**54921303R. Little Rock Coal Company**, (R. R. 2, Box 40, Hegins, PA 17938), renewal of an existing anthracite deep mine operation in Porter Township, **Schuylkill County** affecting 2.8 acres, receiving stream Lower Rausch Creek. Application received September 19, 1996.

**40860101R2. Northampton Fuel Supply Company, Inc.** (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814), renewal of an existing anthracite surface mine operation in Newport Township, **Luzerne County** affecting 116.0 acres, receiving stream none. Application received September 19, 1996.

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

#### *Noncoal Applications Received*

**7974SM6T. James McAndrew**, (1025 North West End Boulevard, Quakertown, PA 18951), noncoal mining operation transferred from American Olean Tile Company in Richland Township, **Bucks County**, affecting 205.0 acres, receiving stream Tohickon Creek. Application received September 5, 1996.

**6476SM12C3. N. L. Minich & Sons**, (730 N. College Street, Carlisle, PA 17013), renewal of NPDES Permit #PA0612464 in North Middleton Township, **Cumberland**

County, receiving stream Meeting House Run. Application received September 13, 1996.

**22880302C. Haines & Kibblehouse, Inc.**, (2052 Lucon Road, Skippack, PA 19474), renewal of NPDES Permit #PA0594211 in Lower Swatara Township, **Dauphin County**, receiving stream Swatara Creek. Application received September 18, 1996.

**7975SM4C. Edison Quarry, Inc.**, (25 Quarry Road, Doylestown, PA 18901), renewal of NPDES Permit #PA0594270 in Doylestown Township, **Bucks County** receiving stream Neshaminy Creek. Application received September 17, 1996.

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

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

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

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

**E47-057.** Water obstruction and encroachment. **Department of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a two span continuous prestressed concrete box beam bridge with a clear span of 100.72 feet at a 53 degree skew and minimum underclearance of 9.9 feet over the Chillisquaque Creek on SR 3003 approximately 1.25 miles south of SR 254 (Washingtonville, PA Quadrangle N: 3.75 inches; W: 13.8 inches) in Liberty Township, **Montour County**. Estimated stream disturbance more than 250 linear feet; stream classification WWF.

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

**E54-223.** Encroachment. **Robert A. and Charlotte A. Price**, 165 Green Tree Drive, Schuylkill Haven, PA 17972. To construct and maintain a steel I-Beam bridge with wood decking having a span of 40 feet and an underclearance of approximately 6 feet across Mahannon Creek (CWF) to provide private access to a proposed

residential building lot. This project is located approximately 700 feet north of Green Tree Drive (T-695), and 600 feet east of Meadow Drive (T-964) (Orwigsburg, PA Quadrangle N: 2.0 inches; W: 16.5 inches) in North Manheim Township, **Schuylkill County** (Philadelphia District, Army Corps of Engineers).

**E64-175.** Encroachment. **Joane Schreiber**, R. R. 3, Box 2306, Honesdale, PA 18431. To remove the existing superstructures and to construct and maintain a two span steel I-beam bridge with wood decking across Big Brook (HQ-CWF, MF) to provide access to a private residence. The structures have spans of 25 feet and 13 feet and a maximum underclearance of approximately 13 feet and are located 200 feet north of Township Road T-477 (Gridline Road) approximately 0.8 mile northeast of the intersection of S. R. 0191 and T-477 (Galilee, PA Quadrangle N: 10.2 inches; W: 16.0 inches) in Lebanon Township, **Wayne County** (Philadelphia District, Army Corps of Engineers).

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

**E09-723.** Encroachment. **Quakertown Borough**, 15-35 N. Second Street, P. O. Box 727, Quakertown, PA 18951. To modify, operate and maintain an existing roadway bridge spanning Old Bethlehem Pike across Beaver Run. The project consists of widening the bridge structure by adding a prefabricated pedestrian bridge unit along the eastern side of the bridge. The unit will be placed on existing piers and abutments which extend upstream from the bridge. The proposed pedestrian bridge, a 50-foot long by 4-foot wide steel frame with wooden deck structure, will serve as a pedestrian access from residential subdivisions in Richland Township to Quakertown Borough businesses, schools and parks. The site is located along Old Bethlehem Pike's right-of-way at a point approximately 1 mile north of the intersection of S. R. 309 and Tollgate Road (Quakertown, PA Quadrangle N: 10.0 inches; W: 13.1 inches) in Quakertown Borough, **Bucks County**.

*Southwest Regional Office, Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.*

**E02-1163.** Encroachment. **Richard Bendel**, 502 Walton Rd., Floreffe, PA 15025. To place and maintain fill in an 8,000 square foot area for the purpose of landscaping along Lobbs Run located on the north side of Calamity Hollow Road approximately 0.5 mile northwest of SR 837 (Glassport, PA Quadrangle N: 2.25 inches; W: 6.0 inches) in Jefferson Borough, **Allegheny County**.

**E02-1164.** Encroachment. **Gary and MaryBeth Homison**, 1442 Millerstown Road, Tarentum, PA 15084-9509. To operate and maintain a bridge over an unnamed tributary to Bull Creek located on Millerstown Road, 0.5 mile from the intersection of Millerstown Road and Bull Creek Road (Curtisville, PA Quadrangle N: 4.1 inches; W: 7.6 inches) in Fawn Township, **Allegheny County**. The construction of this bridge was authorized under Emergency Permit #EP0296206.

**E04-239.** Encroachment. **William E. Griffith Sr.**, 5636 Brownsville Rd., Pittsburgh, PA 15236. To operate and maintain retaining wall and parking lot improvements authorized under Emergency Permit No. EP0296213, along Lick Run at Griffith Mortuary Inc. (Glassport, PA Quadrangle N: 14.7 inches; W: 15.6 inches) in South Park Township, **Allegheny County**.



**E04-239.** Encroachment. **Dale P. Peirce**, 151 Country Club Drive, Ellwood City, PA 16117. To construct and maintain a two-stall frame garage with storage area in the floodway of Connoquessing Creek located on Country Club Drive, 0.2 mile from S. R. 65 North (Beaver Falls, PA Quadrangle N: 16.05 inches; W: 2.85 inches) in North Sewickley Township, **Beaver County**.

**E26-229.** Encroachment. **Matt Canestrone Contracting Inc.**, P. O. Box 234, Belle Vernon, PA 15012. To perform maintenance dredging at the Old Labelle Coal Prep Plant Harbor with an initial removal of 7,703 c. y. of material, located at Mile Marker 63.2 in the Monongahela River (California, PA Quadrangle N: 2.3 inches; W: 14.1 inches) in Luzerne Township, **Fayette County**.

**E26-230.** Encroachment. **Gnagey Gas & Oil Co.**, R. R. 1, Box 620-G, Uniontown, PA 15401. To remove existing structure and to construct and maintain a diesel fueling station within the floodway of Irish Run located 2.1 miles northeast of Connellsville on S. R. 0019 (Connellsville, PA Quadrangle N: 10.1 inches; W: 8.7 inches) in Bullskin Township, **Fayette County**.

**E30-168.** Encroachment. **Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove existing structure and to construct and maintain a single span I-beam superstructure with wingwalls and abutments. The proposed bridge will have a clear span of 35.0 feet and an underclearance of 8.1 feet to carry S. R. 0218 Section E00 over Roberts Run (Oak Forest, PA Quadrangle N: 5.3 inches; W: 13.0 inches) in Wayne Township, **Greene County**.

**E30-169.** Encroachment. **Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove existing structure and to construct and maintain a 16.6-foot span precast box culvert with an underclearance of 4.0 feet to carry S. R. 0218 Section D01 over an unnamed tributary to Roberts Run (Oak Forest, PA Quadrangle N: 4.0 inches; W: 13.8 inches) in Wayne Township, **Greene County**.

**E63-417.** Encroachment. **Burgettstown Borough**, 113 Main Street, Burgettstown, PA 15021. To remove the existing structure known as Shady Avenue Bridge and to construct and maintain a prestressed reinforced concrete spread box beam structure with a clear span of 41'-7" and an underclearance of 9'-3.25" over Burgetts Fork of Raccoon Creek to carry Shady Avenue over said stream (Burgettstown, PA Quadrangle N: 0.8 inch; W: 2.5 inches) in the Borough of Burgettstown, **Washington County**.

The following Environmental Assessment and request for Water Quality Certification are being processed under Section 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

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

**EA24-002NW.** Environmental Assessment. **James P. Girty**, 1339 Glen Hazel Road, St. Marys, PA 15857. To spread and place 10 tons of agricultural lime within the floodway and floodplain of Rocky Run (CWF) as part of a pilot watershed pH improvement project. It is anticipated that the lime application will occur from the headwaters to approximately 3,000 feet upstream of the confluence of Rocky Run and Elk Creek. Rocky Run is located north of the village of Daguscahonda (Ridgway, PA Quadrangle N: 10.8 inches; W: 40 inches) located in Ridgway Township, **Elk County**.

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## ACTIONS

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

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

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

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

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#### *Permits Issued*

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

**NPDES Permit No. PA 0222062.** Sewage. **Remington's Steakhouse, Inc.**, 1553 Perry Highway, Mercer, PA 16137 is authorized to discharge from a facility located in Springfield Township, **Mercer County** to an unnamed tributary to Neshannock Creek.

**NPDES Permit No. PA 0222054.** Sewage. **New Life Baptist Church**, 325 Wood Street, New Wilmington, PA 16142 is authorized to discharge from a facility located in Wilmington Township, **Mercer County** to an unnamed tributary to Little Neshannock Creek.

**NPDES Permit No. PA 0002135.** Industrial waste. **Pennzoil Products Company** (Penreco Division), 138 Petrolia Street, Karns City, PA 16041 is authorized to discharge from a facility located in Karns City Borough, **Butler County** to receiving waters named Allegheny River.

**NPDES Permit No. PA 0210030.** Industrial waste. **Knox Township Municipal Authority**, West Alley, P. O. Box 14, Knoxdale, PA 15847 is authorized to discharge from a facility located in Knox Township, **Jefferson County** to receiving waters named Indian Camp Run.

**NPDES Permit No. PA 0222097.** Sewage. **John P. Vandenberg**, R. D. 1, Box 161A, Grand Valley, PA 16420 is authorized to discharge from a facility located in Eldred Township, **Warren County** to an unnamed tributary to Caldwell Creek.

*Northcentral Regional Office, Regional Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**NPDES Permit No. PAG044898.** Sewerage. **Harry and Carolyn Slocum**, P. O. Box 147, Shinglehouse, PA 16748. The Department has renewed their NPDES permit for single family residence, located in Sharon Township, **Potter County**.

**NPDES Permit No. PAG044896.** Sewerage. **Larry and Tina Cashner**, R. D. 1, Box 338, Lock Haven, PA 17745. The Department has renewed their NPDES permit for single family residence, located in Dunstable Township, **Clinton County**.

**NPDES Permit No. PAG044894.** Sewerage. **Roxanne C. Shiels**, 1151 Egypt Hollow Road, Julian, PA 16844. The Department has renewed their NPDES permit for single family residence, located in Union Township, **Centre County**.

**NPDES Permit No. PAG044900.** Sewerage. **Donald P. Davis and Holly A. Johnson**, R. D. 2, Box 46, Paxinos, PA 17860. The Department has renewed their NPDES permit for single family residence, located in Ralpho Township, **Northumberland County**.

**NPDES Permit No. PAG044890.** Sewerage. **Donald and Linda Kline**, R. D. 2, Box 320K, Curwensville, PA 16833. The Department has renewed their NPDES permit for single family residence, located in Greenwood Township, **Clearfield County**.

**NPDES Permit No. PA0113344.** Amendment No. 1. Sewerage. **Lawrence Township Municipal Authority**, R. R. 1, Box 615, Lawrenceville, PA 16929. The transfer of ownership to the existing stp will treat sewage from the Ward Manufacturing facility until the new stp is built. The location is Lawrence Township, **Tioga County**.

**NPDES Permit No. PA0113182.** Sewerage. **Albert Drobka**, P. O. Box 256, State College, PA 16804. Renewal application accepted for treating sewage to discharge to unnamed tributary to Spring Creek located in Harris Township, **Centre County**.

**NPDES Permit No. PA0209350.** Sewerage. **Delmar Township**, R. D. 5, Box 70A, Wellsboro, PA 16901. Has been issued an NPDES permit to discharge treated sewage from treatment plant that will serve the Smithville area and Wellsboro Country Club in Delmar Township, **Tioga County**.

**NPDES Permit No. PA 0209333.** Sewerage. **Chippewa Chief LTD Partnership**, 705 Washington Boulevard, Williamsport, PA 17701. Has been issued an NPDES permit to discharge treated sewage from a proposed sewage treatment plant that will serve the proposed development and the Muncy Terrace property. The facility location is Muncy Township, **Lycoming County**.

**NPDES Permit No. PA0113212.** Sewerage. **J. William Moore**, 300 Fairfield Road, Lewisburg, PA 17837-9227. Has been issued an NPDES permit to discharge from facility located in West Chillisquaue Township, **Northumberland County** to receiving waters named unnamed tributary of west branch of Susquehanna River.

**NPDES Permit No. PA0114791.** Industrial waste. **PMF Industries Inc.**, Donald E. Alsted, President, 2601

Reach Road, Williamsport, PA 17701. Has renewed their NPDES Industrial Waste permit to facility located in City of Williamsport, **Lycoming County**, to receiving waters named Fox Hollow Run.

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**Notices of Intent for Coverage Under NPDES General Permit for Construction Activities and Department Final Actions.**

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*Adams County Conservation District, District Manager, 57 N. Fifth Street, Gettysburg, PA 17325, telephone (717) 334-0636.*

*Columbia County Conservation District, District Manager, 1127a Old Berwick Rd., Bloomsburg, PA 17815, telephone (717) 784-1310.*

*Cumberland County Conservation District, District Manager, 43 Brookwood Ave., Ste. 4, Carlisle, PA 17013, telephone (717) 249-8632.*

*Lawrence County Conservation District, District Manager, Gov. Serv. Ctr., 430 Ct. St., New Castle, PA 16101, telephone (412) 652-4512.*

*Luzerne County Conservation District, District Manager, Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.*

*Lycoming County Conservation District, District Manager, 240 W. 3rd Street, P. O. Box 68, Williamsport, PA 17703, telephone (717) 326-5858.*

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

*Montgomery County Conservation District, District Manager, 1015 Bridge Rd., Ste. B, Collegetown, PA 19426, telephone (610) 489-4506.*

*Montour County Conservation District, District Manager, 112C Woodbine Lane, Danville, PA 17821, telephone (717) 271-1140.*

*Union County Conservation District, District Manager, 60 Bull Run Crossing, Lewisburg, PA 17837, telephone (717) 523-8782.*

*Wyoming County Conservation District, District Manager, R. R. 3, Box 178B, Tunkhannock, PA 18657-2993, telephone (717) 836-2589.*

The following parties have submitted Notices of Intent for coverage under NPDES General Permit PAG-2, General Permit for Discharges of Stormwater From Construction Activities. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection will authorize, subject to the terms and conditions contained in the general permit, the discharge of stormwater from eligible new and existing discharges.

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

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<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR100034	Yingling Auction Serv. 287 Cold Spring Rd. Gettysburg, PA 17325	Adams Co. Mt. Joy Twp.	White Run

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR102124	Haddon Craftsmen Inc. 4411 Old Berwick Rd. Bloomsburg, PA 17815	Columbia Co. S. Centre Twp.	UNT to Susquehanna
PAR10H108	Greater Keystone Prop. 6375 Basehore Rd. Mechanicsburg, PA	Cumberland Co. Silver Spring Twp.	Simmons Run
PAR103720	Louis Pomerico 1406 E. Washington St. New Castle, PA 16101	Lawrence Co. Neshannock Twp.	UNT to Shenango Rvr.
PAR10R093	Altec Industries Inc. 250 Laird St. Plains, PA 18705	Luzerne Co. Plains Twp.	Mun. Storm Sewer
PAR103917	Keyser Estates R. R. 6 Williamsport, PA 17701	Lycoming Co. Old Lycoming Twp.	Lycoming Crk.
PAR10S015	Pierce Hardy LP 4121 Washington Rd. McMurray, PA 15317	Monroe Co. Stroud Twp.	Brodhead Crk.
PAR10T281	New Hanover Assocs. 2052 Lucon Rd. Skippack, PA 19474	Montgomery Co. New Hanover Twp.	UNT to Minister Crk.
PAR10T291	Upper Providence Twp. 1286 Black Road Rd. Oaks, PA 19456	Montgomery Co. U. Providence Twp.	UNT to Doe Run
PAR10T282	Hollenbach Constr. Inc. Box 507 Boyertown, PA	Montgomery Co. L. Pottsgrove Twp.	Schuylkill
PAR10T304	Gambone Bros. Devel. 1020 W. Germantown Pke. Fairview Village, PA	Montgomery Co. L. Pottsgrove Twp.	UNT to Sprogels Run
PAR104709	Danville Area School District 600 Walnut St. Danville, PA 17821	Montour Co. Danville Boro.	Sechler Run
PAR106820	White Deer Terraces R. D. 2, Box 181 Turbotville, PA 17772	Union Co. White Deer Twp.	Dog Run
PAR107605	Kane Properties & Magnotta Constr. Co. P. O. Box 931 Scranton, PA and P. O. Box 118 Scranton, PA	Wyoming Co. Tunkhannock Twp.	Swale Brook

*Northcentral Regional Office, Regional Water Management Program Manager, 208 W. Third St., Suite 101, Williamsport, PA 17701, telephone (717) 327-3670.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR104912	Leon Hoover West Wind Farms 401 East Lincoln Ave. Myerstown, PA 17067	Northumberland County Lower Augusta Twp.	UNT to Little Shamokin Creek

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#### **NOI Received and Final Actions Under NPDES General Permits**

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Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to Waters of the Commonwealth.

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAG048405	PAG-4	R. Carl Martz 13771 Arneman Rd. Edinboro, PA 16412	Erie Washington Twp.	Unnamed tributary to Conneauttee Creek	

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**Notices of Intent for Coverage Under NPDES General Permits and Department Final Actions**

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The Department of Environmental Protection has received Notices of Intent (NOI) for approval of coverage under General NPDES Permits and has taken the following final actions by approving the requested general permit coverages.

These actions of the Department may be appealed 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, by any aggrieved person under the Environmental Hearing Board (35 P. S. § 7514); 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Environmental Hearing Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of procedure before the Board may be obtained from the Board.

**List of NPDES General Permits Issued by DEP'S  
Water Management Deputate**

<i>General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
2	SW—Construction	BLWC
3	SW—Industrial	BWQM
4	SRSTP	BWQM
6	CSO	BWQM

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**NOIS Received and Final Actions Under NPDES General Permits**

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Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters runoff to waters of the Commonwealth.

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR500005	3	Montgomery County Landfill River Road West Conshohocken, PA 19428	Montgomery Upper Merion Twp.	Balligomingo Crk. Schuylkill River	4953
PAR800014	3	P. E. Kramme, Inc. Avondale Terminal Old Baltimore Pike Avondale, PA 19311	Chester New Garden Twp.	Trout Run	4213
PAR800054	3	CF Motorfreight—NOP 2554 Industry Lane Norristown, PA 19403	Montgomery West Norriton Twp.	Stony Creek	4213
PAR200010	3	Nesbitt-Division of Mestek, Inc. Tulip and Rhawn Streets Philadelphia, PA 19136	Philadelphia City of Philadelphia	Pennypack Creek	3499
PAR210018	3	Rock Hill Materials Company 2035 North Rock Hill Road Sellersville, PA 18960	Bucks East Rockhill County	Three Mile Run and Unnamed tributary to Tohickon Creek	3273
PAR800046	3	Overnight Transportation Co. 525 Imperial Court Bensalem, PA 19020	Philadelphia City of Philadelphia	Delaware River	2842
PAR150006	3	The Lawrence-McFadden Co. 7430 State Road Philadelphia, PA 19136	Philadelphia City of Philadelphia	Delaware River	2851
PAR120006	3	Rosenberger's Diaries 847 Forty Foot Road Hatfield, PA 19440	Montgomery Hatfield Twp.	West branch of Neshaminy Creek	2026
PAR120014	3	Lehigh Valley Diaries, Inc. 880 Allentown Road Lansdale, PA 19446	Montgomery Upper Gwynedd Twp.	Towamencin Crk.	2026

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR110036	3	Northern Engineering and Machine Corporation 111 Buck Road Huntingdon Valley, PA 19006	Bucks L. Southampton Twp.	Unnamed tributary to Poquessing Crk.	3559
PAR140005	3	International Paper 2100 East Byberry Road Philadelphia, PA 19116	Philadelphia City of Philadelphia	Byberry Crk.	2056
PAR600011	3	Luria Brothers—Modena Yard Creek Road Modena, PA 19358	Chester Modena Borough	West branch Brandywine Crk.	5093
PAR800060	3	Degussa Corporation CSX BIDS Terminal 38th and Jackson Streets Philadelphia, PA 19145	Philadelphia City of Philadelphia	Schuylkill River	4226
PAR600008	3	John's Auto Salvage 2557 Geryville Pike Pennsburg, PA 18073	Montgomery Upper Hanover Twp.	Macoby Crk.	5015
PAR230031	3	Sartomer Company Inc. 610 South Bolmar Street West Chester, PA 19380	Chester Borough of West Chester	Unnamed tributary of Goose Crk.	2821
PAR600023	3	Ted Covington Sales 3701 Farm School Road Ottsville, PA 18942	Bucks Tinicum Twp.	Tohickon Creek	5015
PAR120003	3	Pepsi Cola Bottling Group 11701 Roosevelt Blvd. Philadelphia, PA 19154	Philadelphia City of Philadelphia	Walton Run	2086
PAR110017	3	Philadelphia Gear Company 181 South Gulph Rd. King of Prussia, PA 19406	Montgomery Upper Merion Twp.	Crow Crk.	3566
PAR230035	3	Cib Self-Medication, Inc. 500 Virginia Drive Fort Washington, PA 19034	Montgomery Upper Dublin Twp.	Sandy Run Crk.	2834

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10V015	East Stroudsburg Area School Dist. 321 N. Courtland St. P. O. Box 298 East Stroudsburg, PA 18301	Lehman Twp. Pike Co.	Little Bushkill Crk.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10E051	Liperote Land Dev. Co. 279 Ford City Road Freeport, PA 16229	Butler Co. Butler Twp.	Connoquenessing Crk.
PAS10E055	Buffalo Associates 1046 Pittsburgh St. Springdale, PA 15144	Butler Co. Butler Twp.	Allegheny River
PAS10E057	Pine Center Corp. 11279 Perry Highway Wexford, PA 15090	Butler Co. Cranberry Twp.	Brush Creek

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS102508	National Fuel Gas Supply Corp. 1100 State Street P. O. Box 2081 Erie, PA 16512-2081	Elk Co. Horton Twp.	West Branch Walburn Run, Jenkins Run, Vineyard Run, Laurel Run, and Belmouth Run
PAS10K017	The Cafaro Company 2445 Belmont Ave. Youngstown, OH 44504-0186	Erie Co. Millcreek Twp.	Walnut Creek
PAS103707	Universal Development 1607 Motor Inn Drive Girard, OH 44420	Lawrence Co. Neshannock Twp.	Unnamed tributary to Shenango River

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G195	Orleans Corporation 1 Greenwood Square Suite 101 3333 Street Road Bensalem, PA 19020	Willistown Twp. Chester Co.	Ridley Creek
PAS10-G218	TAG Builders P. O. Box 973 Paoli, PA 19301	Willistown Twp. Chester Co.	Crum Creek
PAS10-G220	Oxford Area School District 119 South Fifth St. Oxford, PA 19363	Oxford Borough Chester Co.	Tributary to Little Elk Creek

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

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

**WQM Permit No. 4396406.** Sewerage. **Remington's Steakhouse, Inc.**, 1553 Perry Highway, Mercer, PA 16137. This project is for the construction and operation for a proposed wastewater treatment facility in Springfield Township, **Mercer County**.

**WQM Permit No. 3796402.** Sewerage. **New Life Baptist Church**, 325 Wood Street, New Wilmington, PA 16142. This project is for the construction and operation for a proposed wastewater treatment facility in Wilmington Township, **Mercer County**.

**WQM Permit No. 6296405.** Sewerage. **John P. Vandenberg**, SRSTP, R. D. 1, Box 161A, Grand Valley, PA 16420. Construction of John P. Vandenberg SRSTP located in Eldred Township, **Warren County**.

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

**WQM Permit No. 5996403.** Sewerage. **Delmar Township**, R. D. 5, Box 70A, Wellsboro, PA 16901. Has been authorized to construct a sewerage treatment plant and sewage system to serve the Smithville portion of Delmar Twp., **Tioga County**.

**WQM Permit No. 1488401-T1.** Sewerage. **Roxanne C. Shiels**, 1151 Egypt Hollow Road, Julian, PA 16844. The applicant was granted a transfer of the existing permit located in Union Township, **Centre County**.

**WQM Permit No. 5971401-T1.** Sewerage. **Lawrence Township Municipal Authority**, R. R. 1, Box 615,

Lawrenceville, PA 16929. The applicant was granted a transfer of existing permit located in Lawrence Township, **Tioga County**.

**WQM Permit No. 1496406.** Sewerage. **Spring-Benner-Walker Joint Authority**, 170 Irish Hollow Road, Bellefonte, PA 16823. The applicant has been issued a permit to construct and maintain sanitary sewer line and pump station located in Spring Township, **Centre County**.

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

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

*Location:* North East Borough, 58 East Main Street, North East, PA 16428, **Erie County**.

*Project Description:* This approved project is a special study under the PA Sewage Facilities Act (Act 537) for proposed sludge handling improvements.

Under this study, the Borough will construct improvements to the sludge handling facilities at the Site I sewage treatment plant to prevent the excessive onsite storage of sewage sludge. Construction should commence by January 15, 1997.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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

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

**Permit No. 6796502.** Public water supply. **Stewartstown Borough Authority**, Hopewell Township, **York County**, (David E. England, Stewartstown Borough Authority, 15 N. Main St., P. O. Box 415, Stewartstown, PA 17363), well no. 7 at a rate of 40 gpm. Treatment will include an anion exchange nitrate removal system, aeration for radon removal, caustic soda and sodium silicate addition for corrosion control and sodium hypochlorite disinfection.

**Permit No. 2895504.** Public water supply. **Dry Run Water Association**, Fannett Township, **Franklin County**, (George W. Guyer, P. O. Box 115, Spring Run, PA 17262), new well A as an additional source of supply.

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**Submission of Final Reports on Attainment of Background and Statewide Health Standards (Sections 302(e)(2) and 303 (h)(2)).**

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

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

For further information concerning the final report, contact the Environmental Cleanup Program 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 1 (800) 654-5984.

The Department has received the following final report(s).

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

**Burle Industries**, City of Lancaster, **Lancaster County**. Burle Industries, Inc., 1000 New Holland Avenue, Lancaster, PA 17601-5688 has submitted a Final Report concerning remediation of site soils contaminated with PHCs. The report is intended to document remediation of the site to meet the Statewide health standard.

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**Prompt Interim Response Under the Hazardous Sites Cleanup Act**

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East Union Township  
Schuylkill County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites

Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), initiated a prompt interim response (response) at the East Union Township PCB Contamination Site (Site). The site, which consisted of soil which was contaminated with polychlorinated biphenyl (PCB) oil as the result of an illegal transformer salvage operation, is located in East Union Township, Schuylkill County.

On August 2, 1996 Department personnel inspected the Site and obtained soil and surface water samples for PCB analysis. Analysis confirmed the presence of PCBs in site soil and surface water.

After determining that Site conditions constituted a substantial threat to public health and safety and the environment, the Department initiated a response. On August 14, 1996, prior to the Department undertaking the response, a potentially responsible party came forward and agreed to undertake the prompt action interim response which was chosen by the Department. The prompt action interim response chosen by the Department consisted of the excavation and disposal of all visually contaminated soil found on site. The Department also considered taking no action at the site. However, due to the imminent threat to human health and safety and the environment, this option was rejected.

The administrative record contains information which was used as the basis for the decision to conduct the response at the site. The administrative record will be available for public inspection from 8 a.m. to 4 p.m., Monday through Friday, at the Department's Northeast Regional Office located at 2 Public Square, Wilkes-Barre, PA 18711.

Written comments concerning the response or information in the administrative record will be accepted in person, if delivered, or by mail, if postmarked, on or before January 3, 1997 to the attention of Woodrow Cole, Compliance Specialist—Hazardous Sites Cleanup Program, at the Northeast Regional Office address.

Additionally, the public will have an opportunity to present oral comments at a public hearing. The public hearing has been scheduled for November 19, 1996, at 10 a.m. at the Department's Northeast Regional Office in Wilkes-Barre. Persons wishing to present oral comments must register on or before November 12, 1996 by calling Woodrow Cole at (717) 826-2511. If no person registers to present oral comments by November 12, 1996, the hearing will not be held. Persons interested in finding out if anyone has registered, if the hearing will be held, or the location of the hearing should contact Woodrow Cole.

The Department is providing this notice under section 506(b) of the HSCA. The date of publication of this notice in the *Pennsylvania Bulletin* initiates the minimum 90 day public comment period on the administrative record, as provided under that act. Questions concerning this site may be directed to Woodrow Cole at (717) 826-2511, or Michael Ferrence, Assistant Counsel, at (717) 826-2519.

Persons with a disability who wish to attend the public hearing referenced above and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Woodrow Cole directly or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Scott Township  
Lackawanna County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), initiated a prompt interim response (response) at the Stagecoach Inn Abandoned Chemicals Site (site). The site, which was an abandoned hotel, is located in an area off of Rovinsky Road in Scott Township, Lackawanna County.

On May 29 and June 14, 1996, Department personnel inspected the site subsequent to a complaint filed with the Department. During the inspections, Department personnel noted the presence of 83 16-oz. bottles of embalming fluid, several 55-gallon fiber drums of unknown material and numerous other containers of unknown material. It was determined by the Department that the embalming fluids were characteristically hazardous and toxic.

After determining that site conditions constituted a substantial threat to public health and safety and the environment, the Department initiated a response. On August 16, 1996, the Department conducted a prompt action interim response which consisted of the removal and disposal of those chemicals found onsite. The Department also considered taking no action at the site. However, due to the imminent threat to human health and safety and the environment, this option was rejected.

The administrative record contains information which was used as the basis for the decision to conduct the response at the site. The administrative record will be available for public inspection from 8 a.m. to 4 p.m., Monday through Friday, at the Department's Northeast Regional Office located at 2 Public Square, Wilkes-Barre, PA 18711.

Written comments concerning the response or information in the administrative record will be accepted in person, if delivered, or by mail, if postmarked, on or before January 3, 1997 to the attention of Woodrow Cole, Compliance Specialist—Hazardous Sites Cleanup Program, at the Northeast Regional Office address.

Additionally, the public will have an opportunity to present oral comments at a public hearing. The public hearing has been scheduled for November 19, 1996, at 1 p.m. at the Department's Northeast Regional Office in Wilkes-Barre. Persons wishing to present oral comments must register on or before November 12, 1996 by calling Woodrow Cole at (717) 826-2511. If no person registers to present oral comments by November 12, 1996, the hearing will not be held. Persons interested in finding out if anyone has registered, if the hearing will be held, or the location of the hearing should contact Woodrow Cole.

The Department is providing this notice under section 506(b) of the HSCA. The date of publication of this notice in the *Pennsylvania Bulletin* initiates the minimum 90 day public comment period on the administrative record, as provided under that act. Questions concerning this site may be directed to Woodrow Cole at (717) 826-2511, or Michael Ferrence, Assistant Counsel, at (717) 826-2519.

Persons with a disability who wish to attend the public hearing referenced above and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Woodrow Cole directly or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

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

**General Permit No. WMGR037. C & K Coal Company**, P. O. Box 69, Clarion, PA 16214. A permit for the beneficial use of coal and petroleum coke ash for use in reclamation activities on disturbed land at permitted mine sites regulated under the Department's Bureau of Mining and Reclamation and at abandoned mine sites regulated under the Department's Bureau of Abandoned Mine Reclamation or with another government agency. The permit was issued by Central Office on September 9, 1996.

Persons interested in reviewing the permit may contact the General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

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

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

**Permit No. 602871.** (Modification). **Charles and Barbara Swartzwelder Farm**, East Providence Township Municipal Authority, (P. O. Box 83, Breezewood, PA 15533-0083). Application for operation of an agricultural utilization of sewage sludge site in East Providence Township, **Bedford County**. Permit issued in the Regional Office September 17, 1996.

**Permit No. 101389. Frey Farm Landfill, Lancaster County Solid Waste Management Authority**, (1299 Harrisburg Pike, Lancaster, PA 17603). Application for approval of various geosynthetic materials during cap construction at a site in Manor Township, **Lancaster County**. Permit issued in the Regional Office September 17, 1996.

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**Permits revoked 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.**

*Regional Office, Regional Solid Waste Manager, Suite 6010, Lee Park, 555 North Lane, Conshohocken, PA 19428.*

**Permit No. 400456. The Procter and Gamble Manufacturing Company**, 330 S. Warminster Road, Hatboro, PA 19040. This permit for The Procter and Gamble Manufacturing Company formerly known as Richardson—Vicks, Inc. has been revoked because the facility indicated that they are no longer operating their solid waste incinerator at the Hatboro Plant. Facility located in Hatboro Borough, **Montgomery County**. Permit revoked in the Southeast Regional Office on September 13, 1996.



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

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*Regional Office, Regional Solid Waste Manager, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428.*

**Permit No. 300252. Knoll, Inc.**, 1235 Water Street, East Greenville, PA 18041. This permit renewal and change of ownership from the Knoll Group to Knoll, Inc. is for the continuing operation of the residual waste incinerator, located in Upper Hanover Township, **Montgomery County**. Permit renewal and change of ownership was issued in the Southeast Regional Office on September 17, 1996.

*Northwest Regional Office, Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6848.*

Unpermitted. **Buckeye Hone Company**, 1882 Butler Pike, Mercer, PA 16137, located in Springfield Township, **Mercer County**. A Closure Plan to close the residual waste swarf pits at the Buckeye Hone Company, formerly Vesuvius Flocon, was approved in the Regional Office on September 11, 1996.

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

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*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **23-399-024**  
Source: Shotblast Machine  
Issued: August 30, 1996  
Company: **Boeing Helicopters**  
Location: Ridley  
County: **Delaware**

Permit: **09-310-055**  
Source: Stone Crushing Plant #2  
Issued: August 30, 1996  
Company: **Blooming Glen Quarry/Div. of Haines & Kibblehouse**  
Location: Hilltown  
County: **Bucks**

Permit: **46-320-031**  
Source: 3 Flexographic Printing Presses  
Issued: August 28, 1996  
Company: **Careco**  
Location: Horsham  
County: **Montgomery**

Permit: **46-313-116B**  
Source: Synthesized Pharmaceutical Fine Organic Chemical Manufacturing Facility  
Issued: August 30, 1996  
Company: **Lonza**  
Location: Upper Merion  
County: **Montgomery**

The Department has transferred the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **09-318-003A**  
Source: 3 Graphic Arts Printing System (no. 309)  
Company: **Tavo Packaging, Inc., Formerly Mead Packaging**  
Location: Falls  
County: **Bucks**

Permit: **09-320-007**  
Source: Flexographic Printer  
Company: **Tavo Packaging, Inc., Formerly Mead Packaging**  
Location: Falls  
County: **Bucks**

Permit: **OP-09-0008**  
Source: Facility VOC  
Company: **Tavo Packaging, Inc., Formerly, Mead Packaging**  
Location: Falls  
County: **Bucks**

*Regional Office, Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

The Department has amended the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **39-302-136A**  
Source: Three Boilers  
Company: **Lucent Technology Incorporated**  
Location: Upper Macungie Township  
County: **Lehigh**

Permit: **40-310-032**  
Source: Rock Crushing Operation  
Company: **Barletta Materials & Construction**  
Location: Hazle Township  
County: **Luzerne**

Permit: **54-399-021**  
Source: Portable Ash Conditioning System  
Company: **J T M Industries**  
Location: Porter Township  
County: **Schuylkill**

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**Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

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*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **OP-15-0037**  
Source: 2 Svecia Screen Presses, 3 Heidleberg Presses  
Issued: September 3, 1996  
Company: **McCorquodale Security Cards, Inc.**  
Location: Exton  
County: **Chester**

Permit: **OP-46-0026**  
 Source: Facility VOC Sources  
 Issued: August 30, 1996  
 Company: **BG Packaging Corporation**  
 Location: Upper Providence  
 County: **Montgomery**

Permit: **OP-46-0012**  
 Source: Facility VOC & NOx  
 Issued: August 30, 1996  
 Company: **Philadelphia Newspaper, Inc.**  
 Location: Upper Merion  
 County: **Montgomery**

The Department has amended the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **OP-46-0019**  
 Source: Facility NOx Sources  
 Administrative Amendment: July 31, 1996  
 Company: **Lockheed Martin Corporation**  
 Location: Upper Merion  
 County: **Montgomery**

Permit: **OP-09-0002**  
 Source: Facility VOC  
 Administrative Amendment: July 10, 1996  
 Company: **Penn Color**  
 Location: Doylestown  
 County: **Bucks**

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

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

**65-305-002C.** On September 12, 1996, a Plan Approval was issued to **Ratay Coal, Inc.**, (R. R. 1, Box 198, Penn Run, PA 15765) for a coal crushing and blending operation at itseward facility located in St. Clair Township, **Westmoreland County**.

**32-302-033A.** On September 9, 1996, a Plan Approval was issued to **GPU Generation Corporation**, (1001 Broad Street, Johnstown, PA 15907) for Auxiliary Boiler A at its Conemaugh Station facility located in West Wheatfield Township, **Indiana County**.

**04-322-001.** On September 4, 1996, a Plan Approval was issued to **Joseph J. Brunner, Inc.**, (R. R. 1, Township Road 694, Zelenople, PA 16063) for a landfill flare at its Brunner Landfill facility located in New Sewickley Township, **Beaver County**.

**11-318-008A.** On September 6, 1996, a Plan Approval was issued to **Johnstown America Corporation**, (17 Johns Street, Johnstown, PA 15907) for a painting booth at its Franklin Plant located in Franklin Borough, **Cambria County**.

**26-313-013.** On September 10, 1996, a Plan Approval expiration date was extended to December 1, 1996 for **Welland Chemical, Inc.**, (P. O. Box 26, Mill Street, Newell, PA 15466) for a Nitric Acid Facility at its Newell Works facility located in Newell Borough, **Fayette County**.

**26-310-017.** On September 9, 1996, a Plan Approval expiration date was extended to February 1, 1997 for

**Amerikohl Mining, Inc.**, (P. O. Box 427, Acme, PA 15610) for a portable stone crusher at its Jim Mountain Quarry facility located in Springfield Township, **Fayette County**.

**65-318-063.** On September 12, 1996, a Plan Approval expiration date was extended to February 1, 1997 for **Burkhart Auto Body**, (13380 Crown Road, North Huntingdon, PA 15624) for spray painting booths at its facility located in North Huntingdon Township, **Westmoreland County**.

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

**06-319-103D.** On September 19, 1996, the Department issued a Plan Approval to **East Penn Mfg. Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) for the modification of formation operations with two scrubbers and two mist eliminators in Richmond Township, **Berks County**.

**06-319-012C.** On September 19, 1996, the Department issued a Plan Approval to **General Battery Corp.** (P. O. Box 13995, Reading, PA 19612-3995) for the construction of a No. 4 oxide mill with a cyclone and fabric collector in Laureldale/Muhlenberg Township, **Berks County**. The source is subject to 40 CFR 60, Subpart KK, Standards of Performance for New Stationary Sources.

**06-322-003.** On September 11, 1996, the Department issued a Plan Approval to **New Morgan Landfill Company** (P. O. Box 128, Morgantown, PA 19543) for the installation of a municipal waste landfill gas collection system with two permanent flares and three temporary flares in New Morgan Borough, **Berks County**. The source is subject to 40 CFR 60, Subpart WWW, Standards of Performance for New Stationary Sources.

**07-310-020D.** On September 12, 1996, the Department issued a Plan Approval to **New Enterprise Stone and Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for the construction of a limestone crushing plant controlled by water sprays and two fabric filters at their Roaring Spring Plant in Taylor Township, **Blair County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**21-310-032.** On September 19, 1996, the Department issued a Plan Approval to **NEP Sand & Gravel, Inc.** (234 Butler Avenue, Lancaster, PA 17601) for the installation of an aggregate processing plant controlled by wet suppression at their Goodhart Quarry in Southampton Township, **Cumberland County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-320-026C.** On September 18, 1996, the Department issued a Plan Approval to **R. R. Donnelley & Sons Company** (216 Greenfield Road, Lancaster, PA 17601-5885) for the modification of a heatset web offset lithographic printing operation at their Lancaster East facility in Lancaster City, **Lancaster County**.

**67-3001A.** On September 16, 1996, the Department issued a Plan Approval to **Frito-Lay, Inc.** (P. O. Box 660634, Dallas, TX 75266-0634) for the modification of a snack food manufacturing facility in West Manchester Township, **York County**.

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

**10-323-003.** On September 9, 1996, a Plan Approval was issued to **Spang & Company** (100 Brugh Ave., Box 751, Butler, PA 16003) for construction of paint burnoff ovens at East Butler Borough, **Butler County**.

**24-313-138.** On September 4, 1996, a Plan Approval was issued to **Carbide/Graphite Group** (800 Theresia St., St. Marys, PA 15857) for construction of a basket burnoff oven at St. Marys, **Elk County**.

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

**PA-53-0009A.** On August 5, 1996, plan approval was issued to **National Fuel Gas Supply Corporation** (P. O. Box 2081, Erie, PA 16512) for the installation of air cleaning devices (low emission combustion retrofit kits) on three natural gas-fired reciprocating internal combustion engines, as well as the modification of said engines, at the Ellisburg Compressor Station in Allegany Township, **Potter County**.

**17-302-019B.** On August 6, 1996, plan approval was issued to **Howes Leather Corporation** (P. O. Box 57, Curwensville, PA 16833) for the modification of a No. 2 fuel oil-fired boiler in Curwensville Borough, **Clearfield County**.

**60-303-002.** On August 19, 1996, plan approval was issued to **Eastern Industries, Inc.** (P. O. Box 177, Winfield, PA 17889) for the construction of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Union Township, **Union County**. This plant is subject to Subpart I of the Federal Standards Of Performance For New Stationary Sources.

**OP-53-0007B.** On August 22, 1996, plan approval was issued to **National Fuel Gas Supply Corporation** (P. O. Box 2081, Erie, PA 16512) for the modification of two natural gas-fired reciprocating internal combustion engines at the East Fork Compressor Station in Wharton Township, **Potter County**.

**19-399-013.** On August 30, 1996, plan approval was issued to the **Magee Carpet Company** (480 West Fifth Street, Bloomsburg, PA 17815) for the construction of a propane-fired carpet dryer in the Town of Bloomsburg, **Columbia County**.

**18-313-019A.** On August 30, 1996, plan approval was issued to **Croda, Inc.** (P. O. Box 178, Mill Hall, PA 17751) for the construction and modification of a chemical process facility in Bald Eagle Township, **Clinton County**.

*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality plan approvals for the specified companies described below:

Permit: **23-301-084A**  
Source: 2 Sewage Sludge Incinerators  
Issued: August 27, 1996  
Company: **DELCORA**  
Location: City of Chester  
County: **Delaware**

Permit: **23-399-023C**  
Source: Belt Filter Press Room  
Issued: August 29, 1996  
Company: **DELCORA**  
Location: City of Chester  
County: **Delaware**

Permit: **46-399-105**  
Source: Press #10  
Issued: August 27, 1996  
Company: **Jefferson Smurfit Corporation**  
Location: Upper Providence  
County: **Montgomery**

Permit: **09-312-023**  
Source: MEK Storage Tank No. 705  
Issued: August 29, 1996  
Company: **Rohm & Haas**  
Location: Bristol  
County: **Bucks**

*Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

A Plan Approval has been issued by this office for the construction, modification, reactivation or operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **13-399-004**  
Source: Calcine Feed Storage w/Baghouse  
Issued: September 6, 1996  
Company: **Horsehead Resource Development Co.**  
Location: Palmerton Borough  
County: **Carbon**

Permit: **40-309-036**  
Source: Glass Melting Furnace w/Scrubber  
Issued: September 5, 1996  
Company: **Schott Glass Technologies, Inc.**  
Location: Duryea Borough  
County: **Luzerne**

Permit: **48-315-001A**  
Source: 3 Cup Trim Systems w/Cyclones  
Issued: September 6, 1996  
Company: **James River Paper Company Inc.**  
Location: Forks Township  
County: **Northampton**

Permit: **54-302-053A**  
Source: Boiler/Natural Gas & #2 Oil Fired  
Issued: September 4, 1996  
Company: **PA Dept. of Correction**  
Location: Ryan Township  
County: **Schuylkill**

Permit: **54-322-001A**  
Source: 2 Landfill Gas Ground Flares  
Issued: September 10, 1996  
Company: **Pine Grove Landfill, Inc.**  
Location: Pine Grove Township  
County: **Schuylkill**

Permit: **66-328-001A**  
Source: Gas Turbine/6 Paper Machines  
Issued: September 12, 1996  
Company: **Procter & Gamble Paper Products**  
Location: Washington Township  
County: **Wyoming**

#### MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation

Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

#### *Coal Applications Issued*

**11850103. L & J Energy Company, Inc.**, (P. O. Box 247, Barnesboro, PA 15714), commencement, operation and restoration of bituminous strip mine in Susquehanna Township, **Cambria County**, affecting 98.0 acres, receiving stream west branch of Susquehanna, application received September 18, 1996, application issued September 18, 1996.

**11940102. E. P. Bender Coal Company, Inc.** (Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), revision to an existing bituminous strip operation to add auger mining in Reade Township, **Cambria County**, affecting 133 acres, receiving streams unnamed tributaries to Powell Run; Powell Run; and unnamed tributary to Clearfield Creek, application received July 10, 1996, permit issued September 17, 1996.

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

**17960111. E. P. Bender Coal Co., Inc.** (Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), commencement, operation and restoration of a bituminous surface mine-auger permit in Beccaria Township, **Clearfield County** affecting 66 acres, receiving streams: unnamed tributary 1 and 2 to Cofinan Run, application received June 17, 1996, permit issued September 17, 1996.

*District Mining Operations, P. O. Box 669, Knox, Pennsylvania 16232.*

**10950106. Dutch Run Coal, Inc.** (R. R. 2, Box 366, Shelocta, PA 15774). Commencement, operation and restoration of a bituminous strip and auger operation in Muddy Creek Township, **Butler County** affecting 72.9 acres. Receiving streams: unnamed tributary of Little Yellow Creek. Application received: September 1, 1995. Permit issued: September 9, 1996.

**102828-10950106-E-1. Dutch Run Coal, Inc.** (R. R. 2, Box 366, Shelocta, PA 15774). Application for a stream encroachment to mine through and reconstruct a section of unnamed tributary A to Little Yellow Creek and leave a permanent lake in Muddy Creek Township, **Butler County**. Receiving streams: unnamed tributary of Little Yellow Creek. Application received: September 1, 1995. Permit issued: September 9, 1996.

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

**32753702. Pennsylvania Electric Company** (1001 Broad Street, Johnstown, PA 15907) to revise the permit for the Homer City Coal Prep Plant in Center Township, **Indiana County**, Module 25 amendment, no additional discharge. Permit issued September 17, 1996.

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

**54850110R2. White Pine Coal Co., Inc.** (P. O. Box 59, Ashland, PA 17921), renewal of an existing anthracite surface mine operation in Blythe and Schuylkill Townships, **Schuylkill County** affecting 433.0 acres, receiving stream—east branch Schuylkill River. Renewal issued September 19, 1996.

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

#### *Large Industrial Mineral Permits Issued*

**08960301. Graham Construction & Excavating** (R. D. 1, Box 354A, Canton, PA 17724), commencement, operation and restoration of a Large Industrial Mineral (Sand and Gravel) permit in Canton Township, **Bradford County** affecting 19.2 acres, application received April 2, 1996, permit issued September 11, 1996.

**1474301. Bellefonte Lime Co., Inc.** (P. O. Box 448, Bellefonte, PA 16823), transfer of an existing Deep Mine Permit from Centre Lime and Stone Co., Inc., Spring Township, **Centre County** affecting 1,060.4 acres, receiving streams: Logan Branch and Nittany Creek to Spring Creek to Bald Eagle Creek to Susquehanna River, application received January 3, 1996, permit issued September 18, 1996.

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

#### *Noncoal Permits Issued*

**6276SM1A1C. Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit #PA0594571 in Salisbury Township, **Lancaster County**, receiving stream unnamed tributary to Pequea Creek. Renewal issued September 19, 1996.

*Field Operations—Mining & Reclamation, 5 West Laurel Blvd., Pottsville, PA 17901.*

#### *Noncoal Applications Withdrawn*

**22960301. Dauphin Meadow, Inc.** (P. O. Box 68, Route 209, Millersburg, PA 17061), commencement, operation and restoration of a quarry operation in Upper Paxton and Washington Townships, **Dauphin County** affecting 527.0 acres. Application received August 26, 1996. Application withdrawn September 19, 1996.

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

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

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. 13141(a).** (Note: Permits issued for Small Project do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certifications*

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

**E17-303.** Water obstruction and encroachment. **Pennsylvania Electric Co.**, 1001 Broad St., Johnstown, PA 15907. Remove an existing structure and to construct and maintain a parking area that requires the emplacement of 5,909.2 cubic yards of fill in the floodway of the west branch Susquehanna River at an existing power generation facility. The proposed work shall consist of (1) the removal of 58.0 feet wide x 338.0 feet long mechanical cooling tower, (2) the emplacement of 5,909.2 cubic yards of fill that shall not exceed a National Geodetic Datum based elevation of 1,058.0 feet, (3) the maximum emplacement of 338.0 linear feet of concrete rubble for slope protection and (4) the installation of a bituminous parking area over the fill. The project is located along the southern right-of-way of S. R. 0829 approximately 100.0 feet west of the intersection of S. R. 1008 and S. R. 0879 (Lecontes Mills, PA Quadrangle N: 12.4 inches; W: 16.0 inches) in Bradford Township, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects."

**E19-156.** Water obstruction and encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. Repair the existing structure by paving aprons, cutoff walls, concrete jacket applications and general patching of the abutments over an unnamed tributary to Coles Creek on S. R. 487 about 1 mile northeast of the village of Tri Mills (Red Rock, PA Quadrangle N: 3.8 inches; W: 11.9 inches) in Sugarloaf Township, **Columbia County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-372.** Water obstruction and encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8552. Remove existing structure and to construct and maintain a single span glue laminated timber beam bridge with reinforced concrete abutments and wingwalls having a normal clear span of 20 feet, and approximately 2 miles up Rock Run Road from its intersection with S. R. 0014 (Ralston, PA Quadrangle N: 6.1 inches; W: 2.7 inches) in McIntyre Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E55-139.** Water obstruction and encroachment. **Sheetz, Inc.**, 5700 6th Ave., Altoona, PA 16602. To construct and maintain two reinforced concrete box culverts with a span of 16 feet, a rise of 8 feet and a length of 35 to 40 feet to be used to connect three existing stream enclosures in an unnamed tributary to Penns Creek located in the northeast intersection of S. R. 0011/0015 and S. R. 8005 (Susquehanna Mall Drive) (Sunbury, PA Quadrangle N: 12.9 inches; W: 13.7 inches) in the Borough of Shamokin Dam, **Snyder County**.

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

**E40-441.** Encroachment. **George D. and Nina Peltz**, 1099 Alberdeen Road, Mountaintop, PA 18707-9057. To remove the existing structure and to construct and maintain a single-span bridge, having a span of approximately 30 feet and an underclearance of approximately 4 feet, across a tributary to Big Wapwallopen Creek, for the purpose of providing access to a single-family home. The project is located on the north side of S. R. 3010 (Alberdeen Road), approximately 400 feet west of S. R. 0081 (Freeland, PA Quadrangle N: 19.6 inches; W: 12.1 inches), in Dorrance Township, **Luzerne County**.

**E40-444.** Encroachment. **Bear Creek Village Borough**, Box 332, Bear Creek, PA 18602. To construct and maintain a roadway crossing of a tributary to Bear Creek (locally known as Sand Spring Run), consisting of an 8-foot by 4-foot precast concrete box culvert. The crossing is located on East Lake Drive, approximately 300 feet east of the eastern shoreline of Bear Creek Lake (Wilkes-Barre East, PA Quadrangle N: 11.0 inches; W: 0.1 inch), in Bear Creek Village Borough, **Luzerne County**.

**E52-134.** Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501-0111. To construct and maintain four 18-inch stormwater outfall pipes at each of the I-84 bridges across York Creek, McConnell Creek and Raymondskill Creek to prevent erosion at the abutments, and to widen the existing bridge across McConnell Creek by 12 feet to accommodate a proposed acceleration lane. These projects are located along the eastbound lanes of S. R. 0084, section 444 over York Creek and McConnell Creek (Pecks Pond, PA Quadrangle N: 19.6 inches; W: 9.5 inches and N: 19.5 inches; W: 6.7 inches) in Blooming Grove Township and over Raymondskill Creek (Edgemere, PA Quadrangle N: 17.0 inches; W: 6.5 inches) in Dingman Township, **Pike County**.

**E52-142.** Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 11, Scranton, PA 18501. To remove the existing structure and to construct and maintain a roadway crossing of Billings Creek, consisting of three side-by-side 71-inch by 47-inch elliptical corrugated metal pipes. The project is located on S. R. 4004, Segment 0210, Offset 2200, approximately 0.2 mile west of the intersection of S. R. 0739 and S. R. 4004 (Pecks Pond, PA Quadrangle N: 21.2 inches; W: 9.2 inches), in Blooming Grove Township, **Pike County**.

**E54-215A.** Encroachment. **Fanelli Development Company**, 529 North Coal Street, Pottsville, PA 17901. To amend Permit No. E54-215 to place fill in an additional 0.13 acre of wetlands on building lot No. 40 and to utilize the Pennsylvania Wetlands Replacement Project in lieu of creating 0.24 acre of replacement wetlands. Permit No. E54-215 authorized the placement of fill in 0.11 acre of wetlands on three building lots in the Ridgeview Estates Subdivision for the purpose of constructing single family homes. This project is located at the intersection of Woodview Road and East Ridgeview Drive approximately 2,300 feet east of Liberty Street (S. R. 2013) (Orwigsburg, PA Quadrangle N: 3.8 inches; W: 13.3 inches) in Orwigsburg Borough, **Schuylkill County**.

**EA66-001NE.** Encroachment. **Tunkhannock Township Supervisors**, R. R. 2, Box 943, Tunkhannock, PA 18657. To remove all water obstructions and encroachments associated with the flood damaged Lazy Brook Acres residential subdivision situated within the 100-year

floodway of Tunkhannock Creek and to regrade and restore the entire property to eliminate future flooding threats to life, property or the environment. The project is located between S. R. 0006 and Tunkhannock Creek, just south of the intersection of S. R. 0006 and S. R. 0092 (Tunkhannock, PA Quadrangle N: 9.6 inches; W: 3.2 inches) in Tunkhannock Township, **Wyoming County**.

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

**E10-238.** Encroachment. **Spang and Company**, 100 Brugh Avenue, Box 751, Butler, PA 16003-0751. To enclose and channelize a total of approximately 465 feet of a tributary to Bonnie Brook downstream of Grant Avenue (S. R. 1001) for the expansion of the existing industrial facility approximately 800 feet east of S. R. 2004 (East Butler, PA Quadrangle N: 0.2 inch, W: 13.1 inches) located in the Borough of East Butler, **Butler County**. The project consists of the following beginning approximately 20 feet downstream of Grant Avenue and extending downstream: A 91-foot long section of 16-foot wide by 6.4-foot high waterway opening concrete arch-box culvert, approximately 126 feet of vertical concrete wall channelization 16 feet wide, and an additional approximately 248-foot long section of 16-foot wide by 6.4-foot wide arch-box stream enclosure.

**E10-239.** Encroachment. **Cranberry Township Supervisors**, 2525 Rochester Road, Suite 400, Cranberry Township, PA 16066. To fill a total of 0.43 acre of four wetland areas for the construction of a community park along the south side of North Boundary Road approximately 1 mile east of S. R. 0019 (Mars, PA Quadrangle N: 18.0 inches; W: 5.0 inches) located in Cranberry Township, **Butler County**. The requirement for replacement of impacted wetlands is being made by participation in the Pennsylvania Wetland Replacement Project.

**E10-240.** Encroachment. **INDSPEC Chemical Corporation**, 411 Seventh Avenue, Suite 300, Pittsburgh, PA 15219. To construct and maintain approximately 400 feet of retaining wall along the east bank of South Branch Bear Creek in front of the existing retaining wall varying in height from 4 feet to 14 feet in the INDSPEC facility approximately 700 feet northeast of the intersection of S. R. 0268 and S. R. 1006 (Parker, PA Quadrangle N: 3.6 inches; W: 12.65 inches) located in Petrolia Borough, **Butler County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E16-095.** Encroachment. **Department of Transportation**, District 10-0, P. O. Box 429, Route 286 South, Indiana, PA 15701. To remove the existing Gravel Lick Bridge and to construct and maintain a three span steel grinder bridge having two 90.75-foot clear end spans and a 125.5-foot clear center span with a minimum underclearance of 25.4 feet across the Clarion River on S. R. 1001 approximately 1 mile south of S. R. 0036 (Cooksburg, PA Quadrangle N: 12.0 inches; W: 16.0 inches) located in Farmington and Millcreek Townships, **Clarion County**.

**E20-434.** Encroachment. **Department of Transportation**, District 1-0, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a 16-foot wide by 5.3-foot high R. C. box culvert in east branch Sugar Creek on S. R. 2019, Segment 0070, Offset 0000 approximately 1,600 feet south of S. R. 0428 at Troy Center (Centerville, PA Quadrangle N: 2.5 inches; W: 10.3 inches) located in Troy Township, **Crawford County**.

**E37-109.** Encroachment. **Universal Development**, 1607 Motor Inn Drive, Girard, OH 44420. To fill 0.345 acre of wetland for construction of a residential development north of Mitchell Road (T-561) approximately 1,200 feet east of S. R. 0018 (New Castle North, PA Quadrangle N: 12.0 inches; W: 14.6 inches) located in Neshannock Township, **Lawrence County**. This project includes the creation of a total of 0.768 acre of replacement wetland on site in three locations adjacent to existing wetlands including 0.17 acre of wetland replacement for impacts authorized by BDWM-GP-7.

**E43-249.** Encroachment. **Amerihost Development, Inc.**, 2400 E. Devon Avenue, Suite 280, Des Plaines, IL 60018. To fill 0.41 acre of wetland for the construction of a hotel and associated parking area along S. R. 0208 approximately 900 feet west of S. R. 0258 near the Grove City Airport (Mercer, PA Quadrangle N: 3.3 inches; W: 5.0 inches) located in Springfield Township, **Mercer County**. This project includes the construction of 0.45 acre of replacement wetland adjacent to the hotel.

*DEP Central Office, Bureau of Dams, Waterways and Wetlands, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

**D19-805.** Dam. **John D. Klingerman**, R. D. 4, Orangeville, PA 17859. To modify, operate and maintain an existing dam on the John D. Klingerman property located in the Borough of Orangeville, **Columbia County**.

**D67-526.** Encroachment. **York Township**, 25 Oak Street, York, PA 17402-4931. To construct, operate and maintain the Upper Basin (Basin 20) flood control dam in York Township, **York County**.

**D67-527.** Dam. **York Township**, 25 Oak Street, York, PA 17402-4931. To construct, operate and maintain the Lower Basin (Basin 26) flood control dam in York Township, **York County**.

*Environmental Assessment Approvals and Actions on 401 Certification*

**EA45-004CO.** Environmental assessment. **Glenoak Forest Property Owners Association**, P. O. Box 185, Analomink, PA 18320. To replace and maintain the outlet structure, reshape the emergency spillway, and level the crest of an existing nonjurisdictional dam (Glenoak Forest Lake Dam) and is located across a tributary to Brodhead Creek (HQ-CWF) approximately 3,200 feet west of the intersection of Cherry Lane Road and Metzger Road (East Stroudsburg, PA Quadrangle N: 10.45 inches; W: 15.70 inches) in Pocono Township, **Monroe County**.

**EA46-018CO.** Environmental assessment. **John Hynes**, Shepherd's Pond, Sandy Hill Road, Glenside, PA 19038. To construct and maintain a nonjurisdictional dam across a tributary to Wissahickon Creek (TSF) for the purpose of stormwater management at the proposed Shepherd's Pond subdivision and is located approximately 800 feet southwest of the intersection of State Route 73 and Sandy Hill Road (Germantown, PA Quadrangle N: 18.40 inches; W: 8.35 inches) in Springfield Township, **Montgomery County**.

**EA46-022CO.** Environmental assessment. **T. H. Properties**, P. O. Box 159, Franconia, PA 18924. To construct and maintain two nonjurisdictional dams (Basin A and Basin B) across tributaries to Skippack Creek (TSF) for the purpose of stormwater management at the proposed Summerwind subdivision and is located approximately 1,800 feet north of the intersection of Clemens Road and

Yoder Road (Telford, PA Quadrangle N: 4.15 inches; W: 15.20 inches) in Lower Salford Township, **Montgomery County**.

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## SPECIAL NOTICES

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### Request for Variance

The Bureau of Deep Mine Safety has received a request for variance from the CONSOL Pennsylvania Coal Company. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Glen Ziegler by calling (717) 787-1376.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to James J. Brahosky, Acting Director, Bureau of Deep Mine Safety, P. O. Box 8463, Harrisburg, PA 17105-8463.

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

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

Summary of the request: CONSOL Pennsylvania Coal Company requests permission to use a three entry gate road system for development of all future longwall panels at the Bailey Mine. The three entry system's ventilation plan calls for a belt entry with an intake air split traveling outby (away from the face).

[Pa.B. Doc. No. 96-1676. Filed for public inspection October 4, 1996, 9:00 a.m.]

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### Voluntary Environmental Compliance Audit Policy

The Department of Environmental Protection (DEP) is announcing a final policy to encourage companies, local governments and individuals to find and fix environmental problems by conducting environmental compliance audits and other self-assessments under a Comprehensive Management System.

Under the policy, a company, local government or individual conducting an environmental compliance audit or other systematic self-assessment and taking action to promptly correct violations uncovered by the self-assessment would be entitled to a waiver from fines and penalties, if they disclose those violations to DEP. The Department previously published a notice in the *Pennsylvania Bulletin* on February 10, 1996 requesting comments on the proposed policy.

The policy would not apply to intentional violations or when significant environmental harm occurs or for repeat violations.

An environmental audit is a comprehensive, systematic, documented evaluation of whether a facility or company

meets environmental laws and regulations. It includes not only an evaluation, but regular reporting requirements and schedules for correcting problem areas uncovered by the audit. The policy also provides that DEP can approve procedures for use by small businesses to help assure continuous compliance.

The policy will also encourage the establishment of compliance management systems including those meeting the ISO 14000 environmental standards.

A copy of the final policy, a comment and response document, and a question and answer fact sheet is available on DEP's World Wide Web Site at: <http://www.dep.state.pa.us> (choose Public Participation Center/New Policies and Proposals/Final) or by e-mail request to: [Mather.Richard@a1.dep.state.pa.us](mailto:Mather.Richard@a1.dep.state.pa.us).

Copies are also available by writing: Voluntary Audit Policy, Department of Environmental Protection, P. O. Box 8464, Harrisburg, PA 17105-8464; or telephone (717) 787-7060; or fax: (717) 783-8926.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1677. Filed for public inspection October 4, 1996, 9:00 a.m.]

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### Water Quality Certification Under Section 401 of the Federal Clean Water Act; Categorical Waiver from the Permit Requirements of the Dam Safety and Encroachments Act

The Department of Environmental Protection proposes to certify that certain abandoned mine reclamation activities conducted under the authority of the Surface Mining Control and Reclamation Act of 1977 et seq., which may result in a discharge of dredge or fill material into waters of the Commonwealth, and which comply with the following conditions, will meet the requirements of section 401 of the Federal Clean Water Act (CWA) (33 U.S.C.A. § 1341), and these restoration plans qualify for a waiver of permit requirements set forth at 25 Pa. Code § 105.12(a)(16), Dam Safety and Waterway Management rules and regulations under the Dam Safety and Encroachments Act (DSEA) (32 P. S. §§ 693.1—693.27).

Section 401(a) of the CWA (33 U.S.C.A. § 1341(a)), requires that any applicant for a Federal license or permit, which may result in a discharge to waters of the United States, must provide the licensing or permitting agency with a certification from the state in which the discharge will originate verifying that the discharge resulting from the construction or operation of the project will comply with sections 301—303, 306 and 307 of the CWA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) including applicable State water quality requirements. Section 7(a) of the DSEA (32 P. S. § 693.7) provides for the waiver of permit requirements by regulation, for any category of dam, water obstruction or encroachment which is determined to have an insignificant effect upon the safety and protection of life, health, property and the environment. The regulations, identifying which structures and activities are waived from the permit requirements of the DSEA, are set forth at 25 Pa. Code § 105.12(a).

The Division of Wetlands Protection has reviewed the environmental assessment procedure under the requirements of the National Environmental Policy Act of 1969 (NEPA), as required for restoration projects under Title 4

of the Surface Mining Control and Reclamation Act of 1977 et seq. and finds that procedure to be consistent with the environmental assessment requirements of 25 Pa. Code § 105.15. The procedure includes an environmental assessment of the following factors, which are also found in Chapter 105:

- State and Federal Threatened and Endangered Species
- Public Water Supply
- Water Quality Standards
- Scenic Rivers
- Wetlands
- Recreational Resource Value
- Historic and Cultural Resources
- Fish and Wildlife Resources
- Topography

This assessment process, along with the existing United States Fish and Wildlife Service Project Coordination Requirements required by Section 7 Consultation of the Endangered Species Act, provides an adequate measure of regulatory oversight without necessitating additional permit application and review actions. The Department therefore proposes to categorically waive under the provisions of section 105.12(a)(16), water obstruction and encroachment activities approved under Title 4 of the Surface Mining Control and Reclamation Act of 1977 et. seq. and which meet the following environmental parameters:

(a) The site contains less than 0.05 acre of vegetated wetlands as defined in the 1987 U. S. Army Corps of Engineers Wetland Delineation Manual, or

(b) the body of water or associated discharge from a body of water\* has a pH <5.0 or any one of the following elevated total metal levels:

- Aluminum >0.6 mg/l
- Iron >7.0 mg/l
- Manganese >4.0 mg/l

\*Body of water is defined as any natural or artificial lake, pond, reservoir, swamp, marsh or wetland.

Prior to commencing any activity set forth at 25 Pa. Code § 105.12(a)(16), the applicant must obtain all other necessary permits or approvals from the Department of Environmental Protection, including but not limited to those required by The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) and the regulations promulgated thereunder including 25 Pa. Code chapters 91, 92, 93, 96, 102, 105 and 260—299.

For activities which impact wetlands, all delineations shall be conducted in accordance with Pennsylvania's procedures for wetland delineation. (The present procedure is published at 25 Pa. Code § 105.451.) On February 3, 1996, the Department adopted the Corps of Engineers Wetland Delineation Manual (Technical Report Y-87-1, 1987 Manual) with 6 March 1992 guidance as the methodology for delineating wetlands.

The exceptions to this waiver are those activities which require the construction, operation and maintenance of jurisdictional dams or projects located in floodways. Dams with drainage areas of greater than 100 acres, storage capacities of greater than 50 acre-feet, or with a maxi-

mum depth of water greater than 15 feet as measured by the upstream toe of the dam, require Dam Permits from the Department (see section 105.3). If the proposed project is located within a floodway, a separate individual permit may need to be secured from the Regional Soils and Waterways Section. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

The Department retains the discretion, on a case-by-case basis, to deny or revoke certification under section 401(a) of the CWA for structures and activities listed in 25 Pa. Code § 105.12(16) if the Department finds upon investigation or complaint, that a particular project is violating, or will violate section 401(a) of the CWA or State water quality requirements.

Projects which do not meet the above provisions will be individually reviewed by the Department for consideration of waiver applicability or necessary permit action. Activities not qualifying for this proposed categorical waiver will be processed through the normal public notice process required for 401 Water Quality Certification or Chapter 105 permit applications, whichever is appropriate. This proposed procedure and action are the result of a cooperative effort among Department of Environmental Protection, U. S. Army Corps of Engineers, U. S. Fish and Wildlife Service, Fish and Boat Commission, Game Commission, U. S. Office of Surface Mining, and U. S. Environmental Protection Agency.

The Department seeks comments on this proposed action. Comments must be submitted within 30 days from the date of this notice to Fran Koch, Division of Wetlands Protection, Bureau of Dams, Waterways and Wetlands, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-6827. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5788 (voice users). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile transmission will be accepted. The Department will consider all relevant and timely comments received.

Comments may be submitted electronically to the Department at RegComments@A1.dep.state.pa.us. A subject heading of the proposal must be included in each transmission. Comments submitted electronically must also be received by the Department within 30 days of the publication of this proposed statement of policy.

This proposal has been submitted to the U. S. Army Corps of Engineers for consideration and approval under the PASPGP-1 permit processing procedure. In conjunction with this notice, the Corps of Engineers has also placed this proposal on public notice under the requirements of the Clean Water Act.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1678. Filed for public inspection October 4, 1996, 9:00 a.m.]



## DEPARTMENT OF HEALTH

### Notice of Beginning of Review; Certificates of Need

The Department has completed its preliminary assessment of the following applications for the offering, development, construction, renovation, expansion or establishment of reviewable clinically related health services or health care facilities. This notice is published in accordance with sections 702(c), 704(a) and 704(b) of the Health Care Facilities Act (35 P. S. §§ 448.702(c), 704(a) and 704(b)).

*CON-95-A-2399-B:* Temple University Hospital, Broad and Ontario Streets, Philadelphia, PA. Addition of two inpatient operating rooms, at an estimated cost of \$1,118,000.

*CON-96-H-2715-B:* Forbes Regional Hospital, 2570 Haymaker Road, Monroeville, PA 15146. Establish a 30-bed hospital-based skilled nursing unit through the conversion of 36 M/S beds, at an estimated cost of \$400,000.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning October 5, 1996. Any interested person, as defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)) regarding the decisions made on these applications, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, such meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Temple University Hospital public meeting will begin at 1:30 p.m., and Forbes Regional Hospital public meeting will begin at 3 p.m., Tuesday, November 12, 1996. Persons who need an accommodation due to a disability and want to attend a meeting should contact Jack W. Means, Jr., Director, Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. These meetings are subject to cancellation without further notice.

For additional information, contact the Division of Need Review at (717) 787-5601.

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1679. Filed for public inspection October 4, 1996, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Pennsylvania Conservation Corps: Funds for Projects

Funds for projects related to conservation, recreation, historical preservation, graffiti removal and the repair of

institutional vandalism are available under the Pennsylvania Conservation Corps (PCC) program.

Agencies eligible to apply for PCC projects are:

- The Departments of Labor and Industry, Conservation and Natural Resources, Environmental Protection, Public Welfare, Corrections, Military Affairs, Aging, Education and Economic and Community Development

- The Pennsylvania Game, Fish and Boat, and Historical and Museum Commissions

- The Pennsylvania Emergency Management Agency

- Local political subdivisions (municipalities and school districts)

- Nonprofit agencies in cities of the first class (for projects involving the removal of graffiti and the repair of institutional vandalism only)

The PCC program is designed to provide work experience and educational opportunities to unemployed young adults as they undertake needed projects on Pennsylvania's public lands. Funds available through the program may be used to purchase approved construction materials and contracted services (political subdivisions must provide a 25% cash match). The wages of corpsmembers and crewleaders are paid directly by the Department of Labor and Industry.

Applications for PCC projects will be accepted from political subdivisions and eligible nonprofits through Friday, January 10, 1997. State agency applications will be accepted through Monday, March 3, 1997.

For more information, or to obtain an application and procedures manual, contact Lou Scott, Director, Pennsylvania Conservation Corps, 1304 Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120, (717) 783-6385.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 96-1680. Filed for public inspection October 4, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

**Lackawanna, Luzerne, Pike, Susquehanna,  
Wayne and Wyoming Counties  
Reference No. 08430AG2017**

The Department of Transportation will retain an engineering firm to provide supplementary inspection staff under the Department's Inspectors-in-Charge to perform inspection and documentation of Highway Occupancy Permit projects and General Maintenance Inspection, in Engineering District 4-0, that is, Lackawanna, Luzerne, Pike, Susquehanna, Wayne and Wyoming Counties. The contract will be for a period of 24 months.

It is anticipated that a maximum supplementary construction inspection staff of ten Transportation Construction Inspectors (TCIs) may be required at one time. The job description for this classification can be obtained from the District contact person identified at the end of this solicitation.

The Department will establish an order of ranking of a minimum of three firms for the purpose of negotiating an Inspection Contract 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. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on inspection capabilities and specialized experience in the maintenance and protection of traffic, soils compaction, concrete, asphalt pavement restoration and drainage.
- d. Understanding of Department's requirements, policies and specifications.
- e. Past performance.
- f. Workload.

The maximum reimbursement of direct payroll cost for the Department Payroll Classification for calendar year 1996 will be limited to the actual direct salary of the individual employe, or the following rate, whichever is less:

<i>Payroll Classification</i>	<i>Direct Payroll Rate</i>
Transportation Construction Inspector	(TCI) \$15.18

Maximum reimbursable direct payroll rates for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The selected firm will be required to provide transportation construction inspectors for permit work who have the ability to perform the following:

Inspect work being conducted by permittee as well as ensure restoration of occupancy areas within our right-of-way;

Ensure permittees compliance with regulations, and enforce compliance with the Department of Transportation Publication 203, Work Zone Traffic Control;

Maintain a diary of permits which require intensive study and follow-up on violations;

Perform the above duties and any other related assignments that a permit inspector may be required to perform or assigned by the District Permit Engineer.

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

At least eight of the ten TCIs required for this agreement 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.

Technical questions concerning the requirements for this project should be directed to Robert Horutz, P.E., District 4-0, at (717) 963-4064.

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

**Bedford, Blair, Cambria, Fulton,  
Huntingdon and Somerset Counties  
Reference No. 08430AG2018**

The Department of Transportation will retain an engineering firm to perform bi-annual NBIS bridge safety inspections for designated bridges on the local system throughout Engineering District 9-0, that is, Bedford, Blair, Cambria, Fulton, Huntingdon and Somerset Counties. This contract will be for a period of 5 years.

The selected firm will be required to inspect/reinspect approximately 160 locally owned bridges at various locations and provide updated inspection reports including a bridge load capacity rating/rerating and/or posting recommendation as warranted; furnish bridge inventory and appraisal data and completed BMS coding sheets; to provide inventory and operating ratings based on existing conditions for H, HS and ML 80 loading using the Department's latest version of the appropriate bridge software for all newly inspected bridges and for some previously inspected bridges; and to provide load posting recommendations in accordance with the Department's current load posting policy.

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

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

**Allegheny, Beaver and Lawrence Counties  
Reference No. 08430AG2019**

The Department of Transportation will retain two engineering or surveying firms, each with a minimum of two survey corps, for the preliminary, final and construction survey for various projects in Engineering District 11-0, that is Allegheny, Beaver and Lawrence Counties.

The contract will be for a period of 30 months from date of the Notice to Proceed. It is estimated that approximately 880 corp days will be used for each of the two firms selected.

The two selected firms will be required to adequately staff a minimum of two four-person survey crews. The firms will be required to furnish each survey crew with all required material, equipment, liability insurance, safety equipment and procedures necessary for the efficient, timely and professional completion of preliminary

highway surveys, property surveys, construction stake-outs for structures and roadways, retracing alignment, referencing control points and right-of-way, and other related projects as directed by the Department. Preliminary highway surveys shall be performed using three-dimensional (3D) electronic survey procedures, unless otherwise directed by the Department. To ensure that all survey data is collected in a format that is compatible with the Department's existing Electronic Theodolite Interface (ETI) Software, the Department will provide Department developed Electronic Survey Collection (ESC) Software and User's Manual to the selected firms. The software will be restricted to use on Department projects. The selected firm will be responsible for providing the hardware configuration necessary to complete surveys using the Department's software.

The hardware requirements are a Corvallis Microtechnology, Inc., M C V-Q hand-held computer with 640K of memory or compatible data collection equipment: a 3-1/2" floppy disk drive: and an electronic total station surveying instruments and serial cables to communicate with the hand-held computer. The Total-Station will be comparable or better than a five second instrument (5").

The Department will establish an order of ranking a minimum of seven firms for the purpose of negotiating an 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 firm submitting letters of interest:

- a. Review of employe's resumes with emphasis on surveying capabilities and specialized experience in Highway/Route Surveying.
- b. Geographical location of Consultant in relation to the Engineering District.
- c. Understanding the Department's requirements, policies and specifications.
- d. Ability to provide survey crew on short (5-day minimum) notice.
- e. Present workload.
- f. Past performance.
- g. Additional equipment not required such as: radios, laptop computers, calculators, digital levels and the like, will be considered.

The qualifications and experience required of the firm's personnel must meet or exceed the requirements of the Department's surveyor class specification. The descriptions for these classifications can be obtained from the District contact person identified at the end of this solicitation.

The survey personnel and supporting resume information must be submitted with the letter of interest. There shall be no substitution or addition of personnel without first submitting resumes and receiving written approval by the Department.

1. All field survey work shall be under the supervision of a Professional Land Surveyor licensed in the State of Pennsylvania.

2. Each survey crew shall consist of minimum of one party chief, one instrument person and rod/prism/chain personnel to complete the crew, whether it be 3, 4 or 5 people.

3. Electronic equipment and procedures, as described above, must be utilized in completion of surveys, unless otherwise directed by the Department.

4. The party chief should have a minimum of 3 years experience as a party chief in highway related work. When the party chief is unavailable for work, the crew will only work when the Professional Land Surveyor is available to actually be in charge of the survey crew.

5. Provisions will be included for railroad insurance, rental of arrow boards, ladders and/or boats when and if needed.

Technical questions concerning the requirements for this project should be directed to William J. Somplatsky, P.L.S., Chief of Surveys, District 11-0, at (412) 429-4916.

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

### General Requirements and Information

Firms interested in performing any of the above services are invited to submit letters of interest to: Director, Consultant Selection Committee, Room 1118, Transportation and Safety Building, Harrisburg, PA 17120.

A separate letter of interest and required forms must be submitted for each project for which the applicant wishes to be considered. The letter of interest and required forms must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. of the thirteenth day.

If the project advertisement indicates that the Department will retain an engineering firm, letters of interest will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

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

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

shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof. Proposed DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal. Failure to meet the goal and to demonstrate good faith efforts may result in being barred from Department contracts in the future.

Responses are encouraged by small engineering firms, disadvantaged business enterprise engineering firms and other engineering firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include in the heading, the firm's Federal Identification Number and the Project Reference Number indicated in the advertisement. The letter of interest must also include the following:

1. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project."

2. Standard Form 254, "Architect-Engineer and Related Services Questionnaire" not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a joint venture and for each subconsultant the firm or joint venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company. Please disregard the statements on Standard Form 255 that indicate a Standard Form 254 is only required if not already on file with the contracting office. The Department does not maintain a file for Standard Form 254 for contracting purposes; therefore, this Form is required for the prime consultant and each subconsultant as stated above.

3. Two copies of the Department's Form D-427 (Rev. 6-89), "Current Workload" for the firm submitting the letter of interest. At least one copy of Form D-427 must remain free and not bound in any way to any other portion of the letter of interest or accompanying documentation. Copies of Form D-427 are available upon request from the above address or by contacting the Department's Consultant Agreement Division at (717) 783-9309.

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

The Standard Form 255 must be filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be presently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item 6. If a Women Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

The Standard Form 254 must be signed and dated and must be less than 1 year old as of the date of this

advertisement. A Standard Form must accompany each letter of interest for the firm submitting the letter of interest, each party to a joint venture, and for each subconsultant shown under Item 6 of the Standard Form 255.

Unless other factors are identified under the individual project reference number, the following factors, listed in their order of importance, will be considered by the Committee during their evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of firm.

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

c. Current workload and capacity of firm to perform the work within the time limitations.

d. Location of consultant.

e. Special requirements of the project.

f. Other factors, if any, specific to the project.

The Department currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on design and miscellaneous projects to 130% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection projects to 85.2% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department's limitations will apply to the projects advertised above unless the Department policy is revised prior to the negotiation of an agreement or contract.

The assignment of the above services will be made to one of the firms responding to this notice, but the Committee reserves the right to reject all letters of interest submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for these services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 96-1681. Filed for public inspection October 4, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

Coudersport Borough v. DEP; EHB Doc. No. 96-111-C

### Order

*And Now*, this 20th day of September, 1996, upon receipt of the Department of Environmental Protection's letter of September 17, 1996, informing the Board that the parties have agreed to settlement of the above appeal, and with the expectation that the Notice of Settlement

will be published in accordance with the requirements of 25 Pa. Code § 1021.120, it is ordered that:

1. The settlement is approved by the Board.
2. The above appeal is dismissed, subject to reinstatement if it should turn out that an appeal of the settlement has been timely filed in accordance with the provisions of 25 Pa. Code § 1021.120(b).

The Department of Environmental Protection (Department) and Coudersport Borough (Coudersport) have agreed to a settlement of the above matter. Coudersport operates a water system that has approximately 1,037 service connections in Coudersport, Potter County, Pennsylvania. Currently four water sources serve the community, specifically, North Spring, North Well, East Spring and East Well. On May 16, 1994, the Department sent a letter to Coudersport advising Coudersport that its sources had to be evaluated to determine if any of its sources were under the direct influence of surface water. On April 26, 1996, the Department sent a letter to Coudersport stating that based on the testing that was performed, the Department determined that East Spring and North Spring were determined to be influenced by surface water. On May 23, 1996, Coudersport timely appealed the April 26, 1996 letter.

The Department and Coudersport have agreed to a settlement, the major provisions of which include:

1. Coudersport can continue to use North Spring, and will perform 6 months of testing from April, 1997, through October, 1997, to again evaluate whether the spring is under the direct influence of surface water. If the results are substantially similar or better as those that were previously obtained that led to the issuance of the April 26, 1996 letter, then the Department will take no further action and impose no requirements upon Coudersport. If the results show a worsening or degradation in the water quality, then the Department may take such action as it deems appropriate.

2. Within 45 days from the date that the *Consent Adjudication* is approved by the Environmental Hearing Board, Coudersport will disconnect from East Spring and no longer use it as a source of water for Coudersport unless and until Coudersport complies with the Safe Drinking Water Act.

Copies of the full agreement are in the possession of:

Amy Ershler, Assistant Counsel, Department of Environmental Protection, Northcentral Region Office of Chief Counsel, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6568;

Daniel F. Glassmire, Esquire, Glassmire & Shaffer Law Offices, P.C., 5 East Third Street, P. O. Box 509, Coudersport, PA 16915, (814) 274-7292;

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

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. If information concerning this Notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service at 1 (800) 654-5984.

Appeals must be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement which becomes final if no objection is timely made.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-1682. Filed for public inspection October 4, 1996, 9:00 a.m.]

### Garden State Tanning, Inc. v. DEP; EHB Doc. No. 96-148-C

The Department of Environmental Protection (Department) and Garden State Tanning, Inc. (Garden State) have agreed to a settlement of the above matter. The Department sent a letter dated June 3, 1996 to Garden State concerning Garden State's Emission Reduction Credit (ERC) Registry Application, which pertains to Garden State's leather coating facility located in Fleetwood Borough, Berks County. The parties have agreed to a settlement, the major provisions of which include:

1. The appeal will be terminated without prejudice to the Department's right to take an action on Garden State's ERC Registry Application, and without prejudice to Garden State's right to challenge the Department's action on Garden State's application, including the right to raise any objection that could have been raised in the above-captioned appeal.

Copies of the full agreement are in the possession of:

Andrew P. Foster, Esquire, Drinker Biddle & Reath, 1345 Chestnut Street, Philadelphia, PA 19107-3496, (215) 988-2700;

Kurt J. Weist, Assistant Counsel, DEP, 400 Market Street, 9th Fl., P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-8790;

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

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

Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement, which becomes final if no objection is timely made.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-1683. Filed for public inspection October 4, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Community Hospital of Lancaster; Amendment No. 3 to the Member Hospital Agreement; Filing No. 96-DD

By filing no. 96-DD, Capital Blue Cross submits for the Department's review and approval an Amendment to the

Member Hospital Agreement with Community Hospital of Lancaster. The Amendment provides for payment of Home Health Care Agency services.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This filing consists of five pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1684. Filed for public inspection October 4, 1996, 9:00 a.m.]

### **Holy Spirit Hospital; Member Hospital Prospective Payment Agreement; Filing No. 96-EE**

By filing no. 96-EE, Capital Blue Cross submits for the Department's review and approval a Member Hospital Prospective Payment Agreement with Holy Spirit Hospital.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This filing consists of 37 pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1685. Filed for public inspection October 4, 1996, 9:00 a.m.]

### **Northwood Surgery Center; Member Ambulatory Surgical Facility Prospective Payment Agreement; Filing No. 96-BB**

By filing no. 96-BB, Capital Blue Cross submits for the Department's review and approval a Member Ambulatory Surgical Facility Prospective Payment Agreement with Northwood Surgery Center.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This filing consists of six pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days

after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1686. Filed for public inspection October 4, 1996, 9:00 a.m.]

### **Ophthalmology Surgical Center, Inc.; Member Ambulatory Surgical Facility Prospective Payment Agreement; Filing No. 96-AA**

By filing no. 96-AA, Capital Blue Cross submits for the Department's review and approval a Member Ambulatory Surgical Facility Prospective Payment Agreement with Ophthalmology Surgical Center, Inc.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This filing consists of 18 pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1687. Filed for public inspection October 4, 1996, 9:00 a.m.]

### **Pottstown Memorial Medical Center; Member Hospital Prospective Payment Agreement; Filing No. 96-CC**

By filing no. 96-CC, Capital Blue Cross submits for the Department's review and approval a Member Hospital Prospective Payment Agreement with Pottstown Memorial Medical Center.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This filing consists of 25 pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1688. Filed for public inspection October 4, 1996, 9:00 a.m.]

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

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L.

140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

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

Appeal of Frederick Bainhauer; file no. 96-121-05492; Nationwide Mutual Fire Insurance Company; doc. no. P96-09-027; October 29, 1996, at 9 a.m.

Appeal of Joseph Fetchen, III; file no. 96-121-05867; Providian Auto & Home Insurance Company; doc. no. P96-09-028; October 29, 1996, at 10 a.m.

Appeal of J. Matthew Schweizer; file no. 96-264-35019; State Farm Insurance Company; doc. no. PH96-09-031; October 30, 1996, at 1 p.m.;

Appeal of John and Sue Kim; file no. 96-223-35523; Allstate Insurance Company; doc. no. PH96-09-032; November 7, 1996, at 1 p.m.

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

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

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1689. Filed for public inspection October 4, 1996, 9:00 a.m.]

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

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

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17120.

Erie Insurance Company; file no. 95-121-05843; Terrie A. McMahon; doc. no. P96-09-033; October 29, 1996, at 1 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company

must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

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

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1690. Filed for public inspection October 4, 1996, 9:00 a.m.]

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

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

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

Appeal of Robert A. Carsello; file no. 96-264-35258; Allstate Insurance Company; doc. no. PH96-09-030; October 24, 1996, at 11 a.m.;

Appeal of James Pristas; file no. 96-308-71767; Nationwide Insurance Company; doc. no. PI96-09-036; October 29, 1996, at 11 a.m.;

Appeal of James R. Finrock, Jr.; file no. 96-407-90925; Prudential Property & Casualty Insurance Company; doc. no. E96-09-029; October 31, 1996, at 1 p.m.;

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

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to

those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1691. Filed for public inspection October 4, 1996, 9:00 a.m.]

### Termination of Hospital Provider Contracts with St. Joseph Medical Center and Community General Hospital by Capital Blue Cross

On January 16, 1996, under the Hospital Plan Corporation Act, Capital Blue Cross provided notice of termination of its managed care agreements with St. Joseph Medical Center and termination of the participation of Community General Hospital as a network hospital for members of Keystone Health Plan Central.

The Insurance Department will hold a public hearing for the purpose of investigating the reasons for the termination of the hospital contracts for St. Joseph Medical Center and Community General Hospital by Capital Blue Cross.

The hearing will be held as follows:

*Date:* Tuesday, October 22, 1996  
*Time:* 10 a.m.  
*Location:* Reading State Office Building  
Room 421  
625 Cherry Street  
Reading, PA

Anyone wishing to make a statement or comment at the public hearing should contact the Insurance Department on or before October 18, 1996, to be included on the schedule.

Interested persons are invited to submit written comments to Gregory S. Martino, Deputy Insurance Commissioner, Insurance Department, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, on or before October 18, 1996.

Any further questions should be directed to Gregory S. Martino, Insurance Department, (717) 783-5079.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1692. Filed for public inspection October 4, 1996, 9:00 a.m.]

## PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY

### Request for Contractor

The Pennsylvania Higher Education Assistance Agency (PHEAA) is seeking to engage an independent project

management professional to provide expert assistance in monitoring the planning, design and development effort, and conversion to a new data processing system to support its guaranty processing under the Federal Family Education Loan Program (FFELP). The decision has been made to use LAN-based development and the project is expected to take 2 to 3 years.

Contractors wishing to respond should contact Donna Orris, PHEAA at (717) 720-2702 no later than 3 p.m. Wednesday, October 9, 1996.

MICHAEL H. HERSHOCK,  
*President and Chief Executive Officer*

[Pa.B. Doc. No. 96-1693. Filed for public inspection October 4, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Creation of 2% Fuel Surcharge; S. P. 28201

*Commissioners Present:* John M. Quain, Chairperson; Lisa Crutchfield, Vice Chairperson; John Hanger; David W. Rolka; Robert K. Bloom

Public meeting held  
September 19, 1996

### Order

*By the Commission:*

Tristate Household Goods Tariff Conference, Inc., (Tristate) a tariff publishing agency, representing almost 275 PUC certificated first proviso household goods carriers is petitioning this Commission to continue to implement a 2% fuel surcharge as a result of the sudden and continued escalation of fuel costs still being experienced by its members in the moving industry.

The 2% fuel surcharge approved by the Commission at SP 28200 expired on September 11, 1996; however, in light of the volatile situation in Iraq, Tristate avers the stability of fuel prices is uncertain and diesel fuel costs have not declined since June of 1996. Therefore, Tristate is petitioning the Commission to approve the 2% fuel related surcharge, in order to recoup increased fuel costs for an additional 90 days, until fuel prices stabilize and fuel cost increases can be filed under the regular rate increase procedure.

Tristate has compiled data from its members indicating that fuel prices in Pennsylvania have increased an average 15% per gallon, since June 1, 1996. The average cost at the pump in Pennsylvania is \$1.257 per gallon as of September 3, 1996. Further, the average cost of fuel to total line-haul revenue ranges from 7% to 12%; however, Tristate is only seeking permission to temporarily assess a 2% fuel related surcharge on its line-haul charges.

On interstate shipments of first proviso household goods, in use, the American Movers Conference/Household Goods Carriers' Bureau sought and received approval by the Department of Transportation to levy a 2% fuel surcharge that became effective May 7, 1996, with an expiration date of May 7, 1997.

In order to prevent financial hardships, it is imperative that these household goods carriers be afforded an opportunity to adjust rates to offset unanticipated fuel expenditures; *Therefore, It Is Ordered That:*



1. Tristate member household good carriers rendering service under authority of this Commission may establish a 2% fuel surcharge on 1 day's notice under Special Permission No. 28201, and shall be published in accordance with all other tariff rules of this Commission.

2. Upon determination by the Commission that the price of fuel has stabilized, thereby allowing Tristate carriers to seek rate relief through normal filing procedures, the Commission will issue an order to eliminate the 2% fuel surcharge.

3. The surcharge be effective for a 30-day period with carriers being permitted to file for two additional 30-day extension periods if conditions warrant it.

3. Upon approval by this Commission the Secretary shall duly certify this order and deposit same with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

JOHN G. ALFORD,  
Secretary

[Pa.B. Doc. No. 96-1694. Filed for public inspection October 4, 1996, 9:00 a.m.]

### Gas Service Without Hearing

**A-120650F0003. PFG Gas, Inc.** Application has been made to the Pennsylvania Public Utility Commission, under the provisions of the Public Utility Code, by PFG Gas, Inc. for approval of the right to begin to offer, render, furnish or supply gas service to the public in additional territory in Upper Mahantango and Hubley townships, Schuylkill County.

This application may be considered by the Commission without a hearing. Protests or petitions to intervene may, however, be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served upon applicant on or before October 21, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for applicant:* Kevin L. Welsh, Esquire, Morgan, Lewis & Bockius, 417 Walnut Street, Harrisburg, PA 17101-1904.

JOHN G. ALFORD,  
Secretary

[Pa.B. Doc. No. 96-1695. Filed for public inspection October 4, 1996, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 28, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00113365. Tri-County Volunteer First Aid Corps** (7000 Haverford Avenue, Philadelphia, Philadelphia County, PA 19151), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the counties of Philadelphia, Montgomery, Chester and Delaware. *Attorney:* Martin B. Katz, 130 South Easton Road, Suite 106, Glenside, PA 19038.

**A-00113372. Marvin Craig Dyson, t/d/b/a Royal Service** (6309 Sherman Street, Philadelphia, Philadelphia County, PA 19119)—persons in limousine service between points in the city and county of Philadelphia, and from points in said city and county, to points in Pennsylvania and return. *Attorney:* Ronald J. Harper, 140 West Maplewood Avenue, Philadelphia, PA 19144.

**A-00113381. Traveler's Choice Car and Limousine Service, Inc.** (349 Ferry Street, Easton, Northampton County, PA 18042), a corporation of the Commonwealth of Pennsylvania—persons in limousine service between points in the counties of Northampton and Lehigh, and from points in said counties to points in Pennsylvania and return. *Attorney:* Tamara L. Greenfield, 720 Washington Street, Easton, PA 18042.

**A-00113382. Michael Delprete, et al, t/d/b/a Royalty Limousine Service** (2321 Bald Mountain Road, Clarks Summit, Lackawanna County, PA 18411)—persons in limousine service, between points in the county of Lackawanna, and from points in said county to points in Pennsylvania and return. *Attorney:* John J. Notarianni, SNB Plaza, Suite 1000, 108 North Washington Avenue, Scranton, PA 18503.

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

**A-00107472, Folder 5000. S & H Cab Company** (9989 A. Sandy Road, Philadelphia, Philadelphia County, PA 19115), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 100 shares of the issued and outstanding shares of stock, from Samuel Hershon (50 shares) and Harry Frei (50 shares) to Eran Galant (100 shares) involving two Philadelphia medallions at A-00107472, F. 2, P-1490 and F. 2, Am-A, P-281. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

### Notice of Motor Carrier Applications— Property, Excluding Household Goods In Use

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comments to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before October 21, 1996.

A-00113383 Robert Bryant Trucking Co.  
Box 273, Petersburg, OH 44454

A-00113384 F & R Leasing Services, Inc.  
1201 Bethlehem Pike, Suite 102, North Wales, PA 19454

A-00113385 Joseph J. Holly, Jr.  
923 Wyoming Avenue, West Pittston,  
PA 18643

A-00113386 National Brands Transportation  
Company  
519 Van Kirk Street, Philadelphia, PA  
19120; Goldman & Goldman, Richard  
A. Lefchak, Esquire, Suite 600, 260  
South Broad Street, Philadelphia, PA  
19102

A-00113388 Leon Sensenig  
18 Ridgewood Avenue, Ephrata, PA  
17522

A-00113392 Joseph M. Kosienski, t/d/b/a Kosienski  
Trucking Co.  
3251 East Stancliff Road, McKean, PA  
16426

A-00113393 TNT Expedited Services, Inc.  
710 Sprucewood Avenue, Box 7127,  
Windsor, Ontario, CN N9C 2 Z1; John  
W. Bryant, Esquire, Eames, Wilcox,  
Attorneys and Counselors, 1400 Buhl  
Building, Detroit, MI 48226-3602

A-00113395 Dutch Run Coal, Inc.  
R. D. 2, Box 366, Shelocta, PA 15774

A-00113396 David M. Campbell, t/d/b/a Dave  
Campbell Trucking  
1470 North Valley Road, Pottstown, PA  
19464

A-00113397 Todd Law, t/d/b/a Law Trucking  
P. O. Box 202, Wattsburg, PA 16442

A-00113398 Lloyd M., Cynthia L. Dunmeyer, t/d/b/a  
Dunmeyer Transport  
R. D. 7, Box 2, Somerset, PA 15501

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1696. Filed for public inspection October 4, 1996, 9:00 a.m.]

## TREASURY DEPARTMENT

### Request for Proposal

This Notice of Request for Proposal (RFP) is being provided to solicit the services of a vendor to satisfy a need for electronic authorization, data capture and processing of credit/debit cards for the Commonwealth of Pennsylvania. The prime contractor must be a Commonwealth of Pennsylvania approved active depository. (See, 72 P. S. § 3771, et seq.) Proposals must be submitted in an original and ten copies as indicated in the transmittal correspondence no later than 11 a.m., October 30, 1996. Late proposals will not be considered. A copy of the RFP can be obtained by contacting Jacqueline A. Galko, Associate General Counsel, Treasury Department, (717) 772-3296.

CATHERINE BAKER KNOLL,  
*Treasurer*

[Pa.B. Doc. No. 96-1697. Filed for public inspection October 4, 1996, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

#### Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

⑥ Duration

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

**GET THAT COMPETITIVE EDGE—FOR FREE!**

Do you want to do business with your state government? The Treasury Department's office of Contract Information Services can assist you by providing you with information that may be helpful to you in successfully bidding on State contracts.

Act 244 of 1980 requires Commonwealth departments and agencies to file with the Treasury Department a copy of all contracts involving an expenditure of \$5,000 or more.

These fully executed contracts usually contain the vendor's name, dollar value, effective and termination dates and contract specifications. Some contracts also include the names of other bidding vendors and the bid proposal compiled by the awarded vendor. There is a minimal cost for photocopying contracts.

Allow the Treasury Department to "make a difference for you." For contract information call the office of Contract Information Services TOLL-FREE (in Pennsylvania) at 1-800-252-4700 or (717) 787-4586. Or you may write or visit the office at Room G13, Finance Building, Harrisburg, Pa. 17120.

CATHERINE BAKER KNOLL,  
*State Treasurer*

**Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x337**

**Commodities**

**1286226** Agricultural equipment, machinery and supplies—1 lot; provide an oxygen generation and distribution system.

**Department:** Fish and Boat Commission  
**Location:** Bellefonte, Centre County, PA 16823  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**8503420** Construction, mining, excavating and highway maintenance equipment—960 sq. ft.; flooring open steel bridge, Type TR—5 inch depth.

**Department:** Transportation  
**Location:** Hyde, Clearfield County, PA 16843  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**8158900** Fuel related equipment and supplies—1 each; a pre-wetting liquid storage tank system composed of: 1. a 5,000 gallon crosslinked polyethylene tank; 2. 5,000 gallons of liquid magnesium chloride.

**Department:** Transportation  
**Location:** Allentown, Lehigh County, PA 18103  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1240116** Household and commercial furnishings and appliances—1 each; refurbish dishwasher Hobart Model FT216, furnish and install.

**Department:** Corrections  
**Location:** Cambridge Springs, Crawford County, PA 16403-1238  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1301156** Medical, dental and veterinary equipment and supplies—1 lot; Telemedicine equipment: this is a two monitor interactive multimedia videoconferencing system. It is a PC-based system that will allow simultaneous exchange of video, audio and data over ISDN phone lines.

**Department:** University of Pittsburgh  
**Location:** Pittsburgh, Allegheny County, PA 15203  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1271116** Optical instruments and supplies—1 of each; Prism blocker, chiller Optek No. 310, Accucomp Sagometer computerized unit, 501 layout marker Optek No. 7000-98, reclaim tank, Optek No. 210 or equal, pneumatic air pad press, Optek No. 903 or equal w/appropriate accessories.

**Department:** Corrections  
**Location:** Bellefonte, Centre County, PA 16823  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1279186** Paper and printing equipment and supplies—1 of each; Chipboard inserter and chipboard inserter.

**Department:** Revenue  
**Location:** Harrisburg, Dauphin County, PA 17128-1200  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1258256** Radio and television equipment and supplies—various amounts; Panasonic cameras, housings, brackets, etc.

**Department:** Probation and Parole  
**Location:** Harrisburg, Dauphin County, PA 17105-1661  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services, Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

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## SERVICES

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### Agricultural Services—02

**MR 0800-60** Herbicide application for the control of thistles and broadleaf weeds on various highways in Lancaster, Lebanon, Dauphin and York Counties. Specifications for this work available on request.

**Department:** Transportation  
**Location:** PennDOT Highways in Lancaster, Lebanon, Dauphin, and York Counties, PA  
**Duration:** April 1, 1997 to March 31, 1998  
**Contact:** Ed Myers or Adrian Mahon, (717) 787-7600

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### Computer Related Services—08

**SP 286235** Purchase of OptiFICHE SQL software (license). Purchase to include installation, documentation and one (1) year of maintenance.

**Department:** Board of Probation and Parole  
**Location:** 3101 North Front Street, Harrisburg, PA 17110  
**Duration:** 11/01/96 to 10/31/97  
**Contact:** Michelle Carl, (717) 787-8879

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### Construction and Construction Maintenance—09

**101112** Armstrong and Clarion Counties, SR 58 (151).

**Department:** Transportation  
**Location:** District 10-0  
**Duration:** FY 1996/1997  
**Contact:** Donald R. McNeal, (412) 357-2852

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**0280-02** Installation of approximately 24,000 L. F. of 2S salvage and 20,000 L. F. of 2W salvage guiderail at various locations throughout Elk County. Materials shall be supplied by both the Pennsylvania Department of Transportation and by the contractor. The Department shall be responsible for removal of the cable type guiderail and for the grading of shoulder stabilization prior to the placement of the guiderail. It will be the contractor's responsibility to pick up the material and deliver it to the work sites. A field review is mandatory prior to the bid opening. There will be only one day scheduled which will include review of the guiderail locations and the guiderail material at the Stockpile locations.

**Department:** Transportation  
**Location:** District 0280, Various locations within Elk County, PA  
**Duration:** 01/01/97 through 12/31/97  
**Contact:** Jerome Latosky, (814) 765-0496

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**Project No. DGS 503-17** Project title: Acquisition or Construction of Facility for use as a Maximum Security Youth Development Center. Brief description: renovations in the Block Building and Admissions Building involving general construction, HVAC, plumbing and electrical construction, all located on the campus of Danville State Hospital. General, HVAC, plumbing and electrical construction. Plans deposit: \$95.00 per set. Payable to: A. E. Peters Associates, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: A. E. Peters Associates, Inc., 301 North Main Avenue, Scranton, PA 18504, telephone (717) 346-8446. Bid date: Wednesday, October 30, 1996 at 2:00 p.m. A controlled walk-through has been scheduled for this project on Tuesday, October 15, 1996 at 10:30 a.m. Meet in Engineering Conference Room Danville State Hospital, Danville, PA. Contact person: Dave Peterson, telephone (717) 275-7288.

**Department:** General Services  
**Location:** Central PA Youth Development Center, Danville, Mahoning Township, Montour County, PA  
**Duration:** 270 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

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**Project No. DGS 184-21** Project title: Hop Bottom Flood Protection Project. Brief description: furnish and install precast concrete culverts, construct grouted riprap and derrick stone and construction of drop inlet structure. General construction. Plans deposit: \$50.00 per set. Payable to: Department of Environmental Protection. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Department of Environmental Protection, Construction Contracts Unit, P.O. Box 8452, Harrisburg, PA 17105-8452, telephone (717) 783-7994. Bid date: Wednesday, October 30, 1996 at 2:00 p.m. A pre-bid conference has been scheduled for Tuesday, October 15, 1996 at 10:30 a.m. at the Hop Bottom Volunteer Fire Company, S. Center Street, Hop Bottom, PA. Contact person: Paul Ebright, telephone (717) 783-7929. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** Hop Bottom Borough, Lenox Township, Susquehanna County, PA  
**Duration:** 280 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

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**Contract No. FBP-96-7-0004A** Demolition of existing bridge (steel I-beams, concrete deck and stone masonry abutments); construction of a new bridge (glulam timber beams and deck and reinforced concrete abutments). Work is located adjacent to Poe Paddy State Park.

**Department:** Conservation and Natural Resources  
**Location:** Armagh Township, Mifflin County, PA  
**Duration:** Complete all work by November 28, 1997  
**Contact:** Construction Management Section, (717) 787-5055

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**Contract No. FDC-012-169** Demolition of three bridges (steel I-beams, concrete and timber decking, and stone masonry abutments and wingwalls); construction of three new bridges (reinforced concrete abutments and wingwalls, glued laminated timber superstructures and structure mounted railings). Two structures are located approximately 40 miles north of Williamsport near the village of Ralston and one is located approximately 8 miles north of Montoursville off PA Route 87.

**Department:** Conservation and Natural Resources  
**Location:** McIntyre and Plunketts Creek Townships, Lycoming County, PA  
**Duration:** Complete all work by October 31, 1997  
**Contact:** Construction Management Section, (717) 787-5055

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**Service Purchase Contract No. 224521** Furnish all labor, equipment, and materials to remove a portion of the existing bridge over the Conrail track at Norristown State Farm Park.

**Department:** Conservation and Natural Resources  
**Location:** Norristown State Farm Park, 2500 Upper Farm Road, Norristown, Montgomery County, PA 19403  
**Duration:** June 30, 1997  
**Contact:** Regional Park Office, (215) 453-5016

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**Drafting and Design Services—12**

**MI-677** Millersville University of the State System of Higher Education will select a firm to provide professional design services for the Master Planning Services, Project No. MI-677. Interested professionals should request a Request for Proposal (RFP) from: Bernadette Wendler, Office of the Vice President for Finance and Administration, Millersville University, P. O. Box 1002, Millersville, PA 17551-0302, telephone (717) 872-3829 or FAX (717) 872-3846. RFP's are due on October 18, 1996. The System encourages responses from small firms, minority firms, women-owned firms, and firms that have not previously worked for the System and will consider joint ventures that will enable these firms to participate in System professional service contracts. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Millersville University, Millersville, Lancaster, PA 17551-0302  
**Duration:** 01/01/97—01/01/98  
**Contact:** Bernadette J. Wendler, Dilworth Building, (717) 872-3829

**Engineering Services and Consultation—14**

**08430AG2017** To retain an engineering firm to provide construction inspection services for various highway occupancy permit projects in Engineering District 4-0, that is, Lackawanna, Luzerne, Pike, Susquehanna, Wayne and Wyoming Counties.

**Department:** Transportation  
**Location:** Engineering District 4-0  
**Duration:** Twenty-four (24) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2018** To retain an engineering firm to inspect approximately one hundred and sixty (160) local bridges in Engineering District 9-0, that is, Bedford, Blair, Cambria, Fulton, Huntingdon and Somerset Counties.

**Department:** Transportation  
**Location:** Engineering District 9-0  
**Duration:** Sixty (60) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2019** Two (2) Agreements to provide on-call surveying for various projects in Engineering District 11-0, that is, Allegheny, Beaver and Lawrence Counties.

**Department:** Transportation  
**Location:** Engineering District 11-0  
**Duration:** Thirty (30) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**RFP 1996-04** The Pennsylvania Insurance Department, Underground Storage Tank Indemnification Fund is soliciting a Request for Proposal from vendors to provide Underground Storage Tank environmental and third party claims administration services. The Request for Proposals package will be issued to interested vendors on or after October 15, 1996 and can be obtained by writing to the address below.

**Department:** Insurance  
**Location:** Underground Storage Tank Indemnification Fund, 901 North 7th Street, Harrisburg, PA 17102  
**Duration:** Indeterminate 1996-97  
**Contact:** George Chapman, (717) 783-8093

**Environmental Maintenance Services—15**

**FC-096H1** Contract is for Rehabilitation of Well No. 2 at Pleasant Mount Fish Culture Station, Mount Pleasant Township, Wayne County, Pennsylvania.

**Department:** Fish and Boat Commission  
**Location:** 450 Robinson Lane, Bellefonte, PA 16823-9620; Pleasant Mount Fish Culture Station, Mount Pleasant Township, Wayne County, PA  
**Duration:** 60 days after receipt of order  
**Contact:** Amos C. Ferguson, (814) 359-5105

**FC-040H** Contract is for Rehabilitation of Well No. 3 at Corry Fish Culture Station, Wayne Township, Erie County, Pennsylvania.

**Department:** Fish and Boat Commission  
**Location:** 450 Robinson Lane, Bellefonte, PA 16823-9620; Corry Fish Culture Station, Wayne Township, Erie County, PA  
**Duration:** 60 days after receipt of order  
**Contact:** Amos C. Ferguson, (814) 359-5105

**Contract No. FDC-213-197** Excavation; ditch cleaning; culvert flushing; provide and place PennDOT 2A aggregate, R-3, R-4 and R-6 riprap, No. 67 aggregate; riprap slope protection; erosion control matting; and provide and place lime, fertilizer, seed and mulch. All work is located at Raccoon Creek State Park.

**Department:** Conservation and Natural Resources  
**Location:** Hanover Township, Beaver County, PA  
**Duration:** Complete all work by May 30, 1997  
**Contact:** Construction Management Section, (717) 787-5055

**Food Services—19**

**8839** Meat and meat products.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—March 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**8840** Bakery and Entree items.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—March 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**8841** Poultry and poultry products.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—March 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**8842** Frozen vegetables, fruits and other foods.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—March 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**8843** Bread, rolls and related products.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—June 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**8844** Fresh yogurt and cottage cheese.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—June 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**8845** Pre-portioned fruit juice.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Duration:** January—June 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**LBP-96-007** Milk whole, 2% skim and lactaid. To be delivered as needed. Quantities, specifications and delivery dates may be obtained from the Northeastern Veterans Center.

**Department:** Military Affairs  
**Location:** Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** January 1, 1997 to December 31, 1997  
**Contact:** Joseph Libus, Purchasing Agent II, (717) 961-4318

**96-043** Fruits and vegetables, fresh as follows: 1700 lbs. apples, Red Delicious; 1700 lbs. apples, Golden Delicious; 1500 lbs. bananas; 1000 lbs. grapefruit; 500 lbs. grapes, seedless; 120 lbs. lemons; 1400 lbs. nectarines; 1700 lbs. oranges; 1400 lbs. pears; 1400 lbs. plums; 800 lbs. strawberries; 1000 lbs. tangerines; 400 lbs. watermelons; 35 dozen corn, sweet; 425 lbs. cucumbers; 900 lbs. potatoes, baking; and 1300 lbs. tomatoes. Bids will be awarded on an aggregate basis.

**Department:** Public Welfare  
**Location:** Bensalem Youth Development Center, 3701 Old Trevoise Road, Bensalem, PA 19020  
**Duration:** December, 1996 through February, 1997  
**Contact:** Dorthia Claud-Williams, Purchasing, (215) 953-6412

### Fuel-Related Services—20

**130567-6** Underground fuel storage tank and line testing for Commonwealth owned tanks. The SPC will be Commonwealth wide and cover agency tanks under the Governor's jurisdiction.

**Department:** General Services  
**Location:** Participating Agencies  
**Duration:** January 1, 1997 to December 31, 1997  
**Contact:** Ron Thorpe, (717) 783-3162

**3500-420** The Department of Transportation is soliciting the services of individuals, firms or corporations to perform aboveground and underground storage tank removals agency-wide. The Department has established three regions (eastern, central and western) for which two contractors will be awarded contracts for each region.

**Department:** Transportation  
**Location:** Agency-wide  
**Duration:** November 25, 1996 through November 24, 1998 with one 12-month renewal option  
**Contact:** Debra Gray, (717) 783-9671

**DGS A251-282** Project title: New Fuel Facility. Brief description: removal and replacement of UST/AST and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. UST/AST construction. Plans deposit: \$100.00 per set. Payable to: Gwin, Dobson & Foreman, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Gwin, Dobson & Foreman, Inc., 2900 Fairway Drive, P. O. Box 1589, Altoona, PA 16603-1589, telephone (814) 943-5214. Bid date: Wednesday, October 16, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Clearfield, Clearfield County, PA  
**Duration:** 115 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

### Heating, Ventilation, Air Conditioning—22

**11096010** Journeyman electrician and electrician's helper are needed to perform electrical repairs and modifications to existing facilities, (maintenance sheds in Allegheny County) and the District Office in Bridgeville.

**Department:** Transportation  
**Location:** Engineering District 11-0, Allegheny County; Maintenance sheds throughout the County and the Engineering District Office Building, PA  
**Duration:** 1-1-97 through 12-31-97 with renewal options  
**Contact:** Andrew W. Playso, (412) 429-4942

### Janitorial Services—23

**040072** The Pennsylvania Department of Transportation requires 24 hours per day of janitorial services at 8 safety rest areas in District 4-0. Specifications may be obtained by phoning (717) 963-4016 between 8:00 a.m. and 4:00 p.m., Monday through Friday. A pre-bid conference will be held at the PennDOT Engineering District 4-0 Office, O'Neill Highway, Dunmore, PA on October 10, 1996. Bid opening is scheduled for Thursday, October 17, 1996.

**Department:** Transportation  
**Location:** I-80 E.B., I-81 N.B., I-81 S.B. in Luzerne County; I-84 E.B. and W.B. in Pike County; I-81 N.B. in Lackawanna County; I-81 S.B. in Susquehanna County, PA  
**Duration:** January 1, 1997 through December 31, 1997  
**Contact:** William Tyson, (717) 963-4016

**SP318314** Vendor to provide janitorial services at the Bradford County Assistance Office. This office space is located on the first floor and consists of approximately 23,500 square feet. Complete details and specifications may be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** 5 Poplar Street, P. O. Box 398, Towanda, PA 18848  
**Duration:** 07-01-97—06-30-02  
**Contact:** Lori Vessella, (717) 783-9281

### Lodging/Meeting Facilities—27

**939A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Labor and Industry with 22,533 net useable square feet of new or existing office space in Harrisburg, Dauphin County, PA, with minimum parking for thirty-four (34) vehicles, within the following boundaries: North: Reily Street; South: City Limits; East: Cameron Street; West: Front Street. The office must be situated within two (2) blocks of a public transportation system. Proposals due: October 28, 1996. Solicitation No.: 92377.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1996-97  
**Contact:** Doris Deckman or John A. Hocker, (717) 787-4394

**938A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Labor and Industry with approximately 7,235 net useable square feet of new or existing office space with minimum parking for fifty (50) vehicles, in Lackawanna County, PA within the Carbondale City Limits. In areas where street or public parking is not available, an additional twenty-five (25) parking spaces are required. The office must be situated within three (3) blocks of a public transportation system. Proposals due: December 9, 1996. Solicitation No.: 92343.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1996-97  
**Contact:** Doris Deckman or John A. Hocker, (717) 787-4394

**Property Maintenance—33**

**FM-171** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from driveway and parking area at the Erie Crime Laboratory, 4310 Iroquois Avenue, Erie, PA 16511. Dates: 11/01/96 to 06/30/97. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Erie Crime Lab, 4310 Iroquois Avenue, Erie, PA 16511  
**Duration:** 11/01/96 to 06/30/97  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-172** Furnish all labor, materials and equipment for removal of snow, salting, and cinderling from driveway and parking area at the Towanda Station R. D. 1, Towanda, PA 18848. Dates: 11/01/96 to 06/30/97; 11/01/97 to 06/30/98. Detailed work schedule and bid must be obtained from the Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Towanda Station, R. D. 1, Towanda, PA 18848  
**Duration:** 11/01/96 to 06/30/98  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**KU-97-01**—Kutztown University is seeking contractors interested in bidding on the Dining Hall Sanitary Line Replacement at the South Dining Hall on campus. The project consists of: sanitary line replacement, in the Dining Hall; work includes excavation, concrete work and tile flooring replacement. Interested contractors can obtain bid plans and specs from: Entech Engineering, Inc., P. O. Box 32, Reading, PA 19603, (610) 373-6667 for a non-refundable fee of \$35.00. Bids are available October 7, 1996. There will be a pre-bid meeting at the Maintenance Building, Baldy Road, on October 17, 1996 at 10:00 a.m. Bids are due October 28, 1996 at 2:00 p.m. and will be opened October 30, 1996 at 2:00 p.m. Late submissions will be returned unopened.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19630  
**Duration:** 45 calendar days from notice to proceed  
**Contact:** Gina Frankhouser, (610) 683-4663

**FM 097796-06** Contractor to supply all labor, equipment, and material to repair rubber roof and gutters on Pine Lodge.

**Department:** Public Welfare  
**Location:** Western Center, 333 Curry Hill Road, Canonsburg, PA 15317  
**Duration:** 10/1/96—6/30/97  
**Contact:** Ken Wilson, Purchasing Agent III, (412) 873-3256

**FM 097796-09** Contractor to supply all labor, equipment, and material to repair rubber roof and gutters on Facility Administration Building.

**Department:** Public Welfare  
**Location:** Western Center, 333 Curry Hill Road, Canonsburg, PA 15317  
**Duration:** 10/1/96—6/30/97  
**Contact:** Ken Wilson, Purchasing Agent III, (412) 873-3256

**Project No. DGS 948-12AD.11111Phase 5, Part Q** Project title: Renovations to Doors at Capitol/East Wing Addition. Brief description: installation of new automatic door operators, hardware, controls, wiring, dampers and bronze grilles. In addition, work includes replacing two (2) aluminum scissors grilles located at the North and South Garage entrances from Commonwealth Avenue. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, 18th and Herr Streets, Room 107, Headquarters Building, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, October 23, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** Capitol Building, Capitol Complex, Harrisburg, Dauphin County, PA  
**Duration:** 150 calendar days from date of initial job conference  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**Sanitation—36**

**Inquiry No. 8838** Television inspection, cleaning and testing of sanitary sewers.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Selinsgrove, Snyder County, PA 17870  
**Duration:** March 1, 1997 to June 30, 1997  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**SP 262788** Sealed bids will be received at M. K. Goddard State Park Office, 684 Lake Wilhelm Road, Sandy Lake, PA 16145-8715, and then publicly opened and read. A bid opening date has not yet been set. For disposal of solid wastes at Maurice K. Goddard State Park. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, M. K. Goddard State Park.

**Department:** Conservation and Natural Resources  
**Location:** Maurice K. Goddard State Park, 684 Lake Wilhelm Road, Sandy Lake, PA 16145-8715  
**Duration:** January 1, 1997 to December 31, 1999  
**Contact:** M. K. Goddard State Park, (412) 253-4833

**Security Services—37**

**M36501** The contractor shall provide maintenance and service on a Simplex Fire Alarm System at the State Correctional Institution at Pittsburgh. Interested vendors can call Mr. David Schultz at (412) 761-1955, ext. 251.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, Pittsburgh, PA 15233  
**Duration:** January 1, 1997 to December 31, 1997  
**Contact:** Ronald J. Dudek, Purchasing Agent, (412) 761-1955

**523** Contractor will provide on-site, unarmed, uniformed security guard coverage 11:00 p.m.—7:00 a.m., Sunday through Saturday and/or as required by the Director of Public Safety. Services must be constant, without interruption each day. Proposals due October 18, 1996. Complete details and specifications may be obtained by contacting the Contracts Office.

**Department:** State System of Higher Education  
**Location:** Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319-0200  
**Duration:** Potentially 4 years based upon renewal option  
**Contact:** Antonia Williams, Contract Administrator, (610) 399-2360



**Miscellaneous—39**

**96-044** Bag-In-A-Box juice/punch dispenser unit. Product to be Lemon-X, Jersey Juice or approved equal—flavors to include: 60 box fruit punch, 5 gallon/box; 30 box lemonade, 5 gallon/box; 40 box orange, 3 gallon/box; and 40 box apple raspberry, 3 gallon/box. Bids will be awarded on lowest aggregate basis. Bids will be opened at this facility on November 4, 1996 at 2:30 p.m.

**Department:** Public Welfare

**Location:** Bensalem Youth Development Center, 3701 Old Trevoise Road,  
Bensalem, PA 19020

**Duration:** January, 1997 through June, 1997

**Contact:** Dorthia Claud-Williams, Purchasing, (215) 953-6412

[Pa.B. Doc. No. 96-1698. Filed for public inspection October 4, 1996, 9:00 a.m.]

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**10-96-15** Cut, make and trim of Pennsylvania State Police uniform blouses and breeches. State Police to provide Raeford summer weight material. All other construction requirements to be acquired by winning vendor as per specifications.

**Department:** State Police

**Location:** State Police Clothing Warehouse, Harrisburg, PA

**Duration:** December 1, 1996 through June 30, 1997

**Contact:** Alan F. Bowman, Procurement and Supply, (717) 783-5485

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
1107156-01	09/23/96	Hesco	64,789.56
1170216-01	09/18/96	Okonite Co.	10,437.00
1174186-01	09/23/96	Cardels	34,900.00
1223236-01	09/23/96	Jedco Paper Corporation	9,895.00
2624215-01	09/23/96	Applied Mechanical, Inc.	28,962.00
6750-02	10/01/96	Van Tuil Discount Photo	20,000.00
6750-02	10/01/96	Bernies Photo Center, Inc.	20,000.00
6750-02	10/01/96	HPI International, Inc.	10,000.00
7313610-01	09/18/96	Degol Carpet	8,479.20
7430-01	10/01/96	Swintec	5,000.00
7430-01	10/01/96	Lexmark	5,000.00
7430-01	10/01/96	Brother International	3,000.00
7430-01	10/01/96	R. V. Quinn Business Equipment	5,000.00
7430-01	10/01/96	T. A. Adler Royal	6,000.00
8205560-01	09/18/96	The Office Works	698.88
8231090-01	09/18/96	Manheim Chrysler Plymouth GMC Truck	3,009,668.90

Requisition or Contract #	Awarded On	To	In the Amount Of
8231430-01	9/18/96	Winner Group, Inc.	41,622.00
8231460-01	09/18/96	Northeast Auto Outlet	324,731.76
8231490-01	09/18/96	Phillips Ford Sales	71,061.00
9120-01	10/01/96	Agway Petroleum Corporation	52,417.60
9120-01	10/01/96	Ferrellgas LP	64,092.30
9120-01	10/01/96	Keystone Propane Service, Inc.	7,456.25
9120-01	10/01/96	Minns Gas, Inc.	8,884.00
9140-03	10/01/96	Bedford Valley Petroleum, Inc.	8,609.82
9140-03	10/01/96	Klasen Oil Co., Inc.	5,558.45
9140-03	10/01/96	Export Fuel Co., Inc.	7,272.45
9140-03	10/01/96	Carlos R. Lefler, Inc.	9,907.76
9140-03	10/01/96	Montour	5,114.49
9140-03	10/01/96	J.J. Powell, Inc.	3,461.50
9140-03	10/01/96	Agway Petroleum Corporation	20,888.70

GARY E. CROWELL  
Secretary

[Pa.B. Doc. No. 96-1699. Filed for public inspection October 4, 1996, 9:00 a.m.]