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# PENNSYLVANIA BULLETIN

Volume 31  
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Number 47  
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**Agencies in this issue:**

The General Assembly  
The Courts  
Delaware River Basin Commission  
Department of Banking  
Department of Conservation and Natural Resources  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Environmental Quality Board  
Fish and Boat Commission  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
State Board of Medicine  
State Civil Service Commission

**Detailed list of contents appears inside.**



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

**No. 324, November 2001**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***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*.

## **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.

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### 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.

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2001.

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# GENERAL ASSEMBLY

## Cost-of-Living Factor under the Public Official Compensation Law

Under section 4(d) of the Public Official Compensation Law (65 P. S. § 366.4(d)), for the 12-month period beginning December 1, 2000, through November 30, 2001, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period of November 1, 2000, through October 31, 2001.

The percentage increase and the new salary amount have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

CPI-U for November 1, 2000, through October 31, 2001, cumulative percentage change—2.8106%.

New salary amount—\$63,629.16

Under section 4(d.1) of the Public Official Compensation Law (65 P. S. § 366.4(d)), for the 12-month period beginning December 1, 2001, through November 30, 2002, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from November 1, 2000, through October 31, 2001.

The percentage increase and the new compensation amounts have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

<i>Leadership Position</i>	<i>Increase</i>	<i>New Compensation</i>
Speaker/President pro tempore	2.8106%	35,700.02
Majority Floor Leader	2.8106%	28,561.37
Minority Floor Leader	2.8106%	28,561.37
Majority Whip	2.8106%	21,675.88
Minority Whip	2.8106%	21,675.88
Majority Caucus Chairman	2.8106%	13,515.11
Minority Caucus Chairman	2.8106%	13,515.11
Appropriations Chairman	2.8106%	21,675.88
Minority Appropriations Chairman	2.8106%	21,675.88
Majority Caucus Secretary	2.8106%	8,925.68
Minority Caucus Secretary	2.8106%	8,925.68
Majority Caucus Policy Chairman	2.8106%	8,925.68
Minority Caucus Policy Chairman	2.8106%	8,925.68
Majority Caucus Administrator	2.8106%	8,925.68
Minority Caucus Administrator	2.8106%	8,925.68

If you have any questions, please feel free to contact us.

W. RUSSELL FABER,  
*Chief Clerk*  
*Senate of Pennsylvania*  
TED MAZIA,  
*Chief Clerk*  
*House of Representatives*

[Pa.B. Doc. No. 01-2096. Filed for public inspection November 21, 2001, 9:00 a.m.]

# THE COURTS

## Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. I AND VII—IX]

### Order Adopting Amendments to Rules 103, 701, 803 and 902; and Approving the Revision of Comment to Rule 404; No. 283, Supreme Court Rules; Doc. No. 1

The Committee on Rules of Evidence has prepared a Final Report explaining the November 2, 2001 amendments to Rules of Evidence 103 (Rulings on Evidence), 701 (Opinion Testimony by Lay Witness), 803 (Hearsay Exceptions; Availability of Declarant Immaterial) and 902 (Self-Authentication), and approve the revision of the Comment to Rule 404 (Character Evidence Not Admissible to Prove Conduct; Exceptions; Other Crimes). These changes correspond to the recent amendments to the federal rules of evidence. The Final Report follows the Court's Order.

#### Order

*Per Curiam:*

Now, this 2nd day of November, 2001, upon the recommendation of the Committee on Rules of Evidence; this Recommendation having been published before adoption at 31 Pa.B. 405 (January 20, 2001), with a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the amendments to Pa.Rs.E. 103, 701, 803 and 902, are hereby adopted and the revision of the Comment to Pa.R.E. 404 is hereby approved, in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 2002.

#### Annex A

### TITLE 225. RULES OF EVIDENCE

#### ARTICLE I. GENERAL PROVISIONS

#### Rule 103. Rulings on Evidence.

(a) *Effect of Erroneous Ruling.* Error may not be predicated upon a ruling [ **which** ] that admits or excludes evidence unless

\* \* \* \* \*

Once the court makes a definitive ruling on the record admitting or excluding evidence, either at or before trial, a party need not renew an objection or offer of proof to preserve a claim of error for appeal.

\* \* \* \* \*

#### Comment

Paragraph 103(a) differs from F.R.E. 103(a) in that the Federal [ **Rule** ] rule says, "Error may not be predicated upon a ruling which admits or excludes evidence unless a *substantial right of the party is affected, and*" (emphasis added). The italicized words have been deleted because they are inconsistent with **prior Pennsylvania case law** in criminal cases. In criminal cases, the accused is entitled to relief for an erroneous ruling unless the court is convinced beyond a reasonable doubt that the error is

harmless. See *Commonwealth v. Story*, 476 Pa. 391, 383 A.2d 155 (1978). Civil cases are governed by Pa.R.C.P. 126 which permits the court to disregard an erroneous ruling "which does not affect the substantial rights of the parties." Pa.R.E. 103(a) does not change the existing rule.

Paragraphs [ **103** ] (a)(1) and (a)(2) are consistent with **prior Pennsylvania case law**. See *Dilliplaine v. Lehigh Valley Trust Co.*, 457 Pa. 255, 322 A.2d 114 (1974); *Commonwealth v. Clair*, 458 Pa. 418, 326 A.2d 272 (1974). Paragraphs [ **103** ] (a)(1) and (a)(2) are similar to F.R.E. 103(a)(1) and (a)(2). The term "motion in limine" has been added and the last three words have been changed. Motions in limine permit the trial court to make rulings on evidence prior to trial or at trial but before the evidence is offered. Such motions can expedite the trial and assist in producing just determinations. A ruling on a motion in limine on the record is sufficient to preserve the issue for appeal, without renewal of the objection or offer at trial. The change in language is intended to make clear that the requirement that offers of proof be made is applicable to testimonial and other types of evidence.

**Pa.R.E. 103(a) was amended in 2001 by adding the second paragraph. The amendment, which is identical to the amendment to F.R.E. 103(a) that became effective December 1, 2000, is consistent with prior Pennsylvania case law. See *Bell v. City of Philadelphia*, 491 A.2d 1396 (Pa. Super 1985). It is also consistent with the second paragraph of this Comment.**

Paragraphs [ **103** ] (b) and (c) are identical to F.R.E. 103(b) and (c) and are consistent with Pennsylvania practice.

F.R.E. 103(d) permits a court to grant relief for "plain errors affecting substantial rights although they were not brought to the attention of the court." This paragraph has been deleted because it is inconsistent with paragraphs (a)(1) and (a)(2) and with **prior Pennsylvania case law** as established in *Dilliplaine* and *Clair*. [ **In some capital cases, the Supreme Court has relaxed traditional waiver concepts. See *Commonwealth v. Zettlemoyer*, 500 Pa. 16, 454 A.2d 937 (1982).** ]

**Official Note:** Adopted May 8, 1998, effective October 1, 1998; amended November 2, 2001; effective January 1, 2002.

#### *Committee Explanatory Reports:*

Final Report explaining the November 2, 2001, amendments to paragraph (a) published with the Court's Order at 31 Pa.B. 6384 (November 24, 2001).

#### ARTICLE IV. RELEVANCY AND ITS LIMITS

#### Rule 404. Character Evidence Not Admissible to Prove Conduct; Exceptions; Other Crimes.

(a) *Character Evidence Generally.* Evidence of a person's character or a trait of character is not admissible for the purpose of proving action in conformity therewith on a particular occasion, except as follows:

\* \* \* \* \*

(3) *Character of [ **witness** ] Witness.* \* \* \*

(b) *Other Crimes, Wrongs, or Acts.*

\* \* \* \* \*

(2) Evidence of other crimes, wrongs, or acts may be admitted for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

\* \* \* \* \*

#### Comment

The basic principle of Pa.R.E. 404 is consistent with F.R.E. 404 and **prior** Pennsylvania case law. Pa.R.E. 404, with certain enumerated exceptions, provides that character evidence cannot be used to prove conduct. Under this rule, evidence that an employee had a character trait of absent-mindedness would not be admissible to prove that on a particular occasion he or she failed to fasten the safety latch on a piece of equipment. The rule does not preclude the use of character evidence for other purposes, including where character is an element of a claim or defense. See, e.g., *Dempsey v. Walso Bureau, Inc.*, 431 Pa. 562, 246 A.2d 418 (1968) (negligent employment); *Commonwealth ex rel. Grimes v. Grimes*, 281 Pa. Super. 484, 422 A.2d 572 (1980) (parental fitness).

The exceptions to the [ **Rule** ] rule differ from F.R.E. 404 as indicated below.

*Subsection (a).* Subsection (a) of the rule differs from F.R.E. 404(a).

**Paragraph (a)(1) has not been amended to conform with the December 1, 2000 amendments to F.R.E. 404(a)(1), which provide that the prosecution may respond to the accused's offer of evidence of the character of the alleged victim of a crime by offering evidence of the same trait of character of the defendant.**

Subsection (a)(2) is consistent with **prior** Pennsylvania case law. See, e.g., *Commonwealth v. Dillon*, 528 Pa. 417, 598 A.2d 963 (1991); *Commonwealth v. Amos*, 445 Pa. 297, 284 A.2d 748 (1971); see also Pa.R.E. 405 (regarding means of proof of the complainant's character for violence).

The exception provided at Pa.R.E. 404(a)(2)(iii) does not appear in the federal rule. It is consistent with Pennsylvania decisional law. See *Bell v. Philadelphia*, 341 Pa. Super. 534, 491 A.2d 1386 (1985).

*Subsection (b).* This [ **rule** ] paragraph is similar to F.R.E. 404(b) in recognizing legitimate evidentiary purposes for the introduction of evidence of other crimes, wrongs, or bad acts. Unlike the [ **federal** ] Federal rule, however, Pennsylvania law provides a distinct standard for balancing the inherent prejudice of such evidence against its probative value. Under federal law, if evidence of other crimes, wrongs, or bad acts is offered for a legitimate evidentiary purpose, the evidence is admissible if it meets the general standard of F.R.E. 403. F.R.E. 403 provides that relevant evidence is admissible unless its probative value is substantially outweighed by prejudicial danger. Under Pennsylvania law, evidence of other crimes, wrongs, or bad acts offered for a legitimate evidentiary purpose is admissible only if its probative value outweighs the potential for prejudice. See *Commonwealth v. Morris*, 493 Pa. 164, 425 A.2d 715 (1981). Pa.R.E. 404(b)(3) codifies Pennsylvania decisional law and is an exception to the general rule defined by Pa.R.E. 403.

**Official Note: Adopted May 8, 1998, effective October 1, 1998; Comment revised November 2, 2001; effective January 1, 2002.**

#### Committee Explanatory Reports:

**Final Report explaining the November 2, 2001, revision of Subsection (a) of the Comment published with the Court's Order at 31 Pa.B. 6384 (November 24, 2001).**

#### ARTICLE VII. OPINIONS AND EXPERT TESTIMONY

##### Rule 701. Opinion Testimony by Lay Witnesses.

If the witness is not testifying as an expert, the witness' testimony in the form of opinions or inferences is limited to those opinions or inferences which are rationally based on the perception of the witness, [ **and** ] helpful to a clear understanding of the witness' testimony or the determination of a fact in issue, **and not based on scientific, technical, or other specialized knowledge within the scope of Rule 702.**

#### Comment

\* \* \* \* \*

**F.R.E. 701 was amended, effective December 1, 2000, to clarify that testimony based on scientific, technical, or specialized knowledge is governed by F.R.E. 702, and not F.R.E. 701. The 2001 amendment to Pa.R.E. 701 is likewise aimed at clarifying that testimony based on scientific, technical, and specialized knowledge is governed by Pa.R.E. 702.**

Pa.R.E. 701 is consistent with **prior** Pennsylvania case law. See *Lewis v. Mellor*, 259 Pa. Super. 509, 393 A.2d 941 (1978) (adopting F.R.E. 701). Under *Lewis*, lay opinion may embrace the ultimate issue. See Pa.R.E. 704. The trial judge may exclude the opinion if the trial judge decides that it would not be helpful, or would confuse, mislead, or prejudice the jury, or would waste time. *Lewis*, 259 Pa. Super. at 523-24, 393 A.2d at 949.

**Official Note: Adopted May 8, 1998, effective October 1, 1998; amended November 2, 2001; effective January 2, 2002.**

#### Committee Explanatory Reports:

**Final Report explaining the November 2, 2001, amendments published with the Court's Order at 31 Pa.B. 6384 (November 24, 2001).**

#### ARTICLE VIII. HEARSAY

##### Rule 803. Hearsay Exceptions; Availability of Declarant Immaterial.

The following statements, as hereinafter defined, are not excluded by the hearsay rule, even though the declarant is available as a witness:

\* \* \* \* \*

(6) *Records of Regularly Conducted Activity.* A memorandum, report, record, or data compilation, in any form, of acts, events, or conditions, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, **or by certification that complies with Rule 902(11), Rule 902(12), or a statute permitting certification**, unless the sources of information or other circumstances indicate lack of trustworthiness. The term "business" as used in this paragraph includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

**Comment**

\* \* \* \* \*

Pa.R.E. 803(6) is similar to F.R.E. 803(6), but with two differences. One difference is that Pa.R.E. 803(6) does not include opinions and diagnoses. This is consistent with prior Pennsylvania case law. See *Williams v. McClain*, 513 Pa. 300, 520 A.2d 1374 (1987); *Commonwealth v. DiGiacomo*, 463 Pa. 449, 345 A.2d 605 (1975). The second difference is that Pa.R.E. 803(6) allows the court to exclude business records that would otherwise qualify for exception to the hearsay rule if the "sources of information or other circumstances indicate lack of trustworthiness." The [ federal ] Federal rule allows the court to do so only if "the source of information or the method or circumstances of preparation indicate lack of trustworthiness."

**Rule 803(6) was amended in 2001 consistent with the December 1, 2000 amendments to F.R.E. 803(6) that permit records of regularly conducted activity to be authenticated by certification. This amendment is designed to save the expense and time consumption caused by calling needless foundation witnesses. The notice requirements provided in Pa.R.E. 902(11) and (12) will give other parties a full opportunity to test the adequacy of the foundation.**

If offered against a defendant in a criminal case, an entry in a business record may be excluded if its admission would violate the defendant's constitutional right to confront the witnesses against him or her. See *Commonwealth v. McCloud*, 457 Pa. 310, 322 A.2d 653 (1974).

Pa.R.E. 803(6) differs only slightly from 42 Pa.C.S. [ A. ] § 6108, which provides:

\* \* \* \* \*

Pa.R.E. 803(6) places the burden on an opposing party to show that the sources of information or other circumstances indicate that a business record is untrustworthy, and thus does not qualify for exception to the hearsay rule. The statute places the burden on the proponent of the evidence to show circumstantial trustworthiness.

**Pa.R.E. 803(6) permits records of regularly conducted activity to be authenticated by certification.**

**Official Note:** Adopted May 8, 1998, effective October 1, 1998; Comment revised March 23, 1999, effective immediately; Comment revised March 10, 2000, effective immediately[. ]; **amended November 2, 2001; effective January 1, 2002.**

**Committee Explanatory Reports:**

**Final Report explaining the March 23, 1999 technical revisions to the Comment for paragraph 25 published with the Court's Order at 29 Pa.B. 1714 (April 3, 1999).**

**Final Report explaining the March 10, 2000 revision of the Comment for paragraph 25 published with the Court's Order at 30 Pa.B. 1641 (March 25, 2000).**

**Final Report explaining the November 2, 2001, amendments to paragraph 6 published with the Court's Order at 31 Pa.B. 6384 (November 24, 2001).**

**ARTICLE IX. AUTHENTICATION AND IDENTIFICATION**

**Rule 902. Self-Authentication.**

Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

**(11) Certified domestic records of regularly conducted activity.** The original or a duplicate of a domestic record of regularly conducted activity that would be admissible under Rule 803(6) if accompanied by a written declaration of its custodian or other qualified person, verified as provided in Pa.R.C.P. 76, certifying that the record—

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and declaration available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.

**(12) Certified foreign records of regularly conducted activity.** In a civil case, the original or a duplicate of a foreign record of regularly conducted activity that would be admissible under Rule 803(6) if accompanied by a written declaration by its custodian or other qualified person certifying that the record—

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

The declaration must be signed in a manner that, if falsely made, would subject the maker to criminal penalty under the laws of the country where the declaration is signed. A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and declaration available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.

**Comment**

\* \* \* \* \*

Paragraphs (11) and (12), which were added in 2001, permit the authentication of domestic and foreign records of regularly conducted activity by certification. This is new to Pennsylvania law for records of regularly conducted activity, but is consistent with Pa.R.E. 902(2), (3), and (4) which permit authentication of various kinds of public documents and records by certification. These paragraphs are similar to F.R.E. 902(11) and (12) that were adopted effective December 1, 2000. The language of Pa.R.E. 902(11) differs from F.R.E. 902(11) in that it refers to Pa.R.C.P. 76 rather than to federal law. The amendment is intended to implement the amendment to Pa.R.E. 803(6).

**Official Note: Adopted May 8, 1998, effective October 1, 1998; amended November 2, 2001; effective January 1, 2002.**

**Committee Explanatory Reports:**

**Final Report explaining the November 2, 2001, amendments adding paragraphs (11) and (12) published with Court's Order at 31 Pa.B. 6384 (November 24, 2001).**

**Final Report**

*Amendments of Pa.Rs.E. 103, 701, 803, and 902; and Revision of Comment to Pa.R.E. 404*

CHANGES CORRESPONDING TO RECENT AMENDMENTS TO FEDERAL RULES OF EVIDENCE

On November 2, 2001, upon the recommendation of the Committee on Rules of Evidence, the Supreme Court amended Pa.Rs.E. 103, 701, 803, and 902; and approved the revision of Comment to Pa.R.E. 404, effective January 1, 2002.

I. *Introduction*

Beginning in May 2000, aware of the proposed changes to the Federal Rules of Evidence,<sup>1</sup> the Committee undertook an extensive review of the proposed federal rule changes and Pennsylvania's Rules of Evidence. Although the federal rules have no direct impact on Pennsylvania's Rules of Evidence, and in many cases Pennsylvania's rules go their own way, the rules usually refer to the federal rules in the Comments. In view of this, the Committee noted that, at a minimum, some of the Comments to Pennsylvania's rules would need to be updated. As we reviewed the rules, the Committee agreed that some of the changes to the federal rules merited consideration for inclusion in Pennsylvania's rules, while other changes were inconsistent with Pennsylvania practice.

II. *Discussion*

A. *Pa.R.E. 103 (Rulings on Evidence)*

Federal Rule of Evidence 103 (Rulings On Evidence) has been amended by the addition of the following to paragraph (a)(2):<sup>2</sup>

(a)(2) Offer of proof. In case the ruling is one excluding evidence, the substance of the evidence was made known to the court by offer or was apparent from the context within which questions were asked.

ONCE THE COURT MAKES A DEFINITIVE RULING ON THE RECORD ADMITTING OR EXCLUDING EVIDENCE, EITHER AT OR BEFORE TRIAL, A PARTY NEED NOT RENEW AN OBJECTION OR OFFER OF PROOF TO PRESERVE A CLAIM OF ERROR FOR APPEAL.

This new language is consistent with Pennsylvania law, see *Bell v. City of Philadelphia*, 491 A.2d 1386 at 1391 (Pa.Super. 1985), and appears to clarify an issue that might not have been entirely clear to the bench and bar.<sup>3</sup> In view of these considerations, the Committee agreed that a comparable provision should be added to Rule 103(a). This will avoid the possible confusion the bench and bar might have if the two rules were different in this regard. The Comment would be revised by the addition of a paragraph explaining the new rule provision and cross-referencing *Bell, supra*.

<sup>1</sup> The federal rule changes were adopted in December 2000.

<sup>2</sup> The Federal rule amendments are shown in small caps.

<sup>3</sup> A similar but more limited idea is expressed in the second paragraph of the Pa.R.E. 103 Comment.

B. *Pa.R.E. 404 (Character Evidence Not Admissible to Prove Character; Exceptions; Other Crimes)*

Federal Rule of Evidence 404 (Character Evidence Not Admissible To Prove Conduct; Exceptions; Other Crimes) has been amended by the addition of new language in paragraph (a)(1) and "alleged" before "victim" in paragraph (a)(2), as follows:

(a)(1) Character of accused. Evidence of a pertinent trait of character offered by an accused, or by the prosecution to rebut the same, OR IF EVIDENCE OF A TRAIT OF CHARACTER OF THE ALLEGED VICTIM OF THE CRIME IS OFFERED BY AN ACCUSED AND ADMITTED UNDER RULE 404(a)(2), EVIDENCE OF THE SAME TRAIT OF CHARACTER OF THE ACCUSED OFFERED BY PROSECUTION.

(a)(2) Character of ALLEGED victim. Evidence of a pertinent trait of character of the ALLEGED victim of the crime offered by an accused, or by the prosecution to rebut the same, or evidence of a character trait of peacefulness of the ALLEGED victim offered by the prosecution in a homicide case to rebut evidence that the ALLEGED victim was the first aggressor.

This amendment to F.R.E. 404(a)(1) adds a new concept to the federal rules that does not presently exist in Pennsylvania law. The rationale for the Federal rule amendment is that when a defendant offers evidence of a character trait of the victim, such as the trait of violence in assault cases, the prosecution should be able to respond by showing evidence of a corresponding trait of the defendant.

The Committee considered proposing the inclusion of this new concept in the Pennsylvania rules, but declined to do so. However, we agreed that the *Comment* should be revised to explain this.

Federal Rule of Evidence 404(a)(2) has been amended by adding the adjective "alleged" to modify "victim." Pa.R.E. 404(a)(2) uses the term "complainant," which was adopted after lengthy consideration. After reviewing the rule history and the federal rule change, the Committee agreed there is no reason to revert to "victim," and not to add the adjective "alleged."

C. *Pa.R.E. 701 (Opinion Testimony by Lay Witness)*

Federal Rule of Evidence 701 (Opinion Testimony By Lay Witnesses) has been amended as follows:

If the witness is not testifying as an expert, the witness' testimony in the form of opinions or inferences is limited to those opinions or inferences which are (a) rationally based on the perception of the witness, (b) helpful to a clear understanding of the witness' testimony or the determination of a fact in issue, AND (c) NOT BASED ON SCIENTIFIC, TECHNICAL, OR OTHER SPECIALIZED KNOWLEDGE WITHIN THE SCOPE OF RULE 702.

This amendment is intended to prevent parties from offering expert testimony without the need for qualifying the witness as an expert and without the need for establishing that the witness' testimony is based on reliable scientific, technical, or other specialized knowledge. See F.R.E. 702. It also is intended to prevent parties from avoiding the discovery rules.

The Committee agreed that this same reasoning makes sense for Pennsylvania. By adding a comparable provision to Pa.R.E. 701, the relationship between Pa.Rs.E. 701 and 702 will be clarified, and, as with the federal rule, the change will prevent parties from trying to avoid the requirements of Pa.R.E. 702 and the discovery rules, see,

e.g., Pa.R.C.P. 4003.5 and Pa.R.Crim.P. 573(B)(1)(e), by offering expert testimony under the guise of lay testimony.

*D. Pa.Rs.E. 803 (Hearsay Exceptions; Availability of Declarant Immaterial) and 902 (Self-Authentication)*

Federal Rule of Evidence 803 (Hearsay Exceptions; Availability Of Declarant Immaterial) has been amended as follows:

(6) Records of regularly conducted activity. A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, OR BY CERTIFICATION THAT COMPLIES WITH RULE 902(11), RULE 902(12), OR A STATUTE PERMITTING CERTIFICATION, unless the source of information or the method or circumstances of preparation indicate lack of trustworthiness. The term "business" as used in this paragraph includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

In a correlative change, Federal Rule of Evidence 902 (Self-Authentication) has been amended as follows:

Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

\* \* \* \* \*

(11) CERTIFIED DOMESTIC RECORDS OF REGULARLY CONDUCTED ACTIVITY. THE ORIGINAL OR A DUPLICATE OF A DOMESTIC RECORD OF REGULARLY CONDUCTED ACTIVITY THAT WOULD BE ADMISSIBLE UNDER RULE 803(6) IF ACCOMPANIED BY A WRITTEN DECLARATION OF ITS CUSTODIAN OR OTHER QUALIFIED PERSON, IN A MANNER COMPLYING WITH ANY ACT OF CONGRESS OR RULE PRESCRIBED BY THE SUPREME COURT PURSUANT TO STATUTORY AUTHORITY, CERTIFYING THAT THE RECORD—

(A) WAS MADE AT OR NEAR THE TIME OF THE OCCURRENCE OF THE MATTERS SET FORTH BY, OR FROM INFORMATION TRANSMITTED BY, A PERSON WITH KNOWLEDGE OF THOSE MATTERS;

(B) WAS KEPT IN THE COURSE OF THE REGULARLY CONDUCTED ACTIVITY; AND

(C) WAS MADE BY THE REGULARLY CONDUCTED ACTIVITY AS A REGULAR PRACTICE.

A PARTY INTENDING TO OFFER A RECORD INTO EVIDENCE UNDER THIS PARAGRAPH MUST PROVIDE WRITTEN NOTICE OF THAT INTENTION TO ALL ADVERSE PARTIES, AND MUST MAKE THE RECORD AND DECLARATION AVAILABLE FOR INSPECTION SUFFICIENTLY IN ADVANCE OF THEIR OFFER INTO EVIDENCE TO PROVIDE AN ADVERSE PARTY WITH A FAIR OPPORTUNITY TO CHALLENGE THEM.

(12) CERTIFIED FOREIGN RECORDS OF REGULARLY CONDUCTED ACTIVITY. IN A CIVIL CASE, THE ORIGINAL OR A DUPLICATE OF A FOREIGN RECORD OF REGULARLY CONDUCTED ACTIVITY THAT WOULD BE ADMISSIBLE UNDER RULE 803(6) IF ACCOMPANIED BY A WRITTEN DECLARATION BY ITS CUSTODIAN OR OTHER QUALIFIED PERSON CERTIFYING THAT THE RECORD—

(A) WAS MADE AT OR NEAR THE TIME OF THE OCCURRENCE OF THE MATTERS SET FORTH BY, OR FROM INFORMATION TRANSMITTED BY, A PERSON WITH KNOWLEDGE OF THOSE MATTERS;

(B) WAS KEPT IN THE COURSE OF THE REGULARLY CONDUCTED ACTIVITY; AND

(C) WAS MADE BY THE REGULARLY CONDUCTED ACTIVITY AS A REGULAR PRACTICE.

THE DECLARATION MUST BE SIGNED IN A MANNER THAT, IF FALSELY MADE, WOULD SUBJECT THE MAKER TO CRIMINAL PENALTY UNDER THE LAWS OF THE COUNTRY WHERE THE DECLARATION IS SIGNED. A PARTY INTENDING TO OFFER A RECORD INTO EVIDENCE UNDER THIS PARAGRAPH MUST PROVIDE WRITTEN NOTICE OF THAT INTENTION TO ALL ADVERSE PARTIES, AND MUST MAKE THE RECORD AND DECLARATION AVAILABLE FOR INSPECTION SUFFICIENTLY IN ADVANCE OF THEIR OFFER INTO EVIDENCE TO PROVIDE AN ADVERSE PARTY WITH A FAIR OPPORTUNITY TO CHALLENGE THEM.

These amendments are aimed at eliminating the time and expense involved in presenting foundation witnesses in situations in which there is really no question about the authenticity of the records. This concept is new for records of regularly conducted activity, but it is consistent with the self-authentication provisions of F.R.E. 902(2)—(4) for governmental records and other kinds of documents.

The Committee, in reviewing these changes, noted that there are similar provisions in Pennsylvania law provided by statute for authenticating governmental records, 42 Pa.C.S. §§ 5328 and 6103, and medical records, 42 Pa.C.S. §§ 6151—6159. We agreed that the reasons for the federal rule changes apply equally well in Pennsylvania, and therefore comparable changes have been made to Pa.Rs.E. 803 and 902.

[Pa.B. Doc. No. 01-2097. Filed for public inspection November 21, 2001, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [246 PA. CODE CH. 1200]

#### Order Amending Rules 1201—1211 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices; No. 130; Magisterial Doc. No. 1; Book No. 2

The Minor Court Rules Committee has prepared a Final Report explaining the amendments to Rules 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, and 1211 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices, effective February 1, 2002. These changes make substantive amendments and clarifications as well as related technical or "housekeeping" changes to the rules relating to emergency relief under the Protection From Abuse Act. The Final Report follows the Court's Order.

#### Order

*Per Curiam:*

Now, this 2nd day of November, 2001, upon the recommendation of the Minor Court Rules Committee; the



proposal having been published before adoption at 29 Pa.B. 6331 (December 18, 1999), and a Final Report to be published with this *Order*.

*It Is Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, and 1211 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective February 1, 2002.

**Annex A**

**TITLE 246. MINOR COURT CIVIL RULES**

**PART I. GENERAL**

**CHAPTER 1200. EMERGENCY RELIEF UNDER THE PROTECTION FROM ABUSE ACT**

**Rule 1201. Applicability.**

The rules in this chapter\* apply to the exercise by a hearing officer of jurisdiction under Section 6110 [ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110, to grant emergency relief from abuse.

\* Rules in the 1200 series.

**Official Note:** See the Protection From Abuse Act set forth in the Domestic Relations Code, 23 Pa.C.S. [ A., Section ] § 6101 et seq.

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; **amended November 2, 2001, effective February 1, 2002.**

[ Explanatory Comment—1992 ]  
(DELETE ENTIRELY)

**Rule 1202. Definitions.**

As used in these rules:

(1) *Abuse, adults and family or household members* shall have the meanings given to those words in Section 6102 [ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6102.

(2) *Court* means the court of common pleas of the judicial district in which the office of the [ **district justice** ] **hearing officer** taking action under these rules is located.

\* \* \* \* \*

[ **Official Note:** The definition of “court” varies somewhat from the definition in Section 6102, Title 23 of the Protection From Abuse Act, which merely defines “court” as “the court of common pleas”, since under 6110(c), orders issued by the hearing officer must be certified to “the court” and it was thought necessary to define more particularly the court of common pleas to which the order will be certified. ]

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; **amended and Note deleted November 2, 2001, effective February 1, 2002.**

**Rule 1203. Limitation on jurisdiction.**

The hearing officer may grant relief under these rules only when the court is unavailable to do so pursuant to

the provisions of Section 6110 [ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110, or local rule of court.

**Official Note:** The limitation in this rule is taken from Section 6110 [ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110.

\* \* \* \* \*

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; **amended November 2, 2001, effective February 1, 2002.**

**Rule 1204. Venue.**

A. [ A ] **Except as provided in subdivision B, a proceeding for emergency relief [ shall ] may be brought in [ the ] a magisterial district within the county in which [ the abuse for which relief is requested occurred ]**

- (1) **the plaintiff resides, either temporarily or permanently, or**
- (2) **the abuse occurred.**

B. **If the relief sought includes possession of the residence or household to the exclusion of the defendant, the action may be brought only in a magisterial district within the county in which the residence or household is located.**

**Official Note:** [ In view of the nature of the proceedings and the type of relief that may be granted, it was thought best to limit venue to the magisterial district in which the abuse occurred. ] This rule is consistent with Pa.R.C.P. No. 1901.1 and provides the necessary flexibility to a plaintiff who may have to flee the county of permanent residence to escape further abuse. This rule is intended to provide maximum flexibility to a plaintiff to use a convenient forum to seek an emergency protective order. However, where practicable, plaintiffs should give preference to filing in the magisterial district in which the plaintiff resides, either temporarily or permanently, or in the magisterial district in which the abuse occurred. A proceeding is considered to have been brought in a magisterial district even if it is before a hearing officer serving temporarily in that district, or before a hearing officer who has been invested by local rule with temporary county-wide jurisdiction.

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; **amended November 2, 2001, effective February 1, 2002.**

**Rule 1205. Persons who may seek emergency relief.**

[ A person ] **An adult or an emancipated minor may seek emergency relief from abuse for himself or herself. Also, any parent, [ or ] adult household member or guardian ad litem may seek emergency relief from abuse on behalf of minor children. In addition, a guardian of the person of an [ incompetent adult ] incapacitated person as defined in 20 Pa.C.S. § 5501 may seek emergency relief on behalf of the [ incompetent adult ] incapacitated person.**

**Official Note:** This rule [ was taken ] is derived from Section 6106 [ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6106.

Adopted effective March 24, 1977. Amended effective March 27, 1992; amended November 2, 2001, effective February 1, 2002.

**Rule 1206. Commencement of proceedings.**

\* \* \* \* \*

B. Upon [ the filing of a petition ] issuance of an emergency order, the hearing officer shall [ advise ] provide the plaintiff with instructions regarding the commencement of proceedings in the court of common pleas and regarding the procedures for initiating a contempt charge should the defendant violate the emergency order. The hearing officer shall also advise the plaintiff of the existence of programs for victims of domestic violence in the county or in nearby counties and inform the plaintiff of the availability of legal assistance without cost if the plaintiff is unable to pay therefor.

C. The petition shall be filed and service shall be made without prepayment of costs.

**Official Note:** It was thought desirable to require the petition to be on a simple, prescribed form since this is an emergency proceeding and the plaintiff is apt to be in an excited state at the time of the filing. Subdivision B is added to assure compliance with the requirement of Section 6110(d)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110(d). Practice varies among the judicial districts as to what procedures the plaintiff must follow to continue in effect a protection order in the court of common pleas upon the certification of an emergency protection order to the court of common pleas. The hearing officer should provide clear instructions to the plaintiff as to what must be done to continue in effect the protection order in the court of common pleas. See Rule 1210 and Note and Rule 1211 and Note. Subdivision C is derived from Section 6106(b) of the Act, 23 Pa.C.S. § 6106(b) and reflects the practice when a temporary order is issued at the common pleas level.

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; amended November 2, 2001, effective February 1, 2002.

**Rule 1207. Hearing.**

\* \* \* \* \*

**Official Note:** Under Section 6110(a)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110(a), the hearing is ex parte, and under Section 6110(b)[ , Title 23 ] of the Act, 23 Pa.C.S. § 6110(b), the emergency orders issued by the hearing officer as a result of the hearing are of short duration. Accordingly, there are no provisions in these rules for notice to the defendant prior to hearing. The hearing need not be held at the office of the hearing officer. The last phrase was added to insure compliance with Section 6112[ , Title 23 ] of the Act, 23 Pa.C.S. § 6112.

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; amended November 2, 2001, effective February 1, 2002.

**Rule 1208. Findings and protection orders.**

A. If the hearing officer, upon good cause shown, finds it necessary to protect the plaintiff or minor children from

abuse, he may grant relief in accordance with Section [ 6108(a) ] 6110(a)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110(a), and make any protection orders necessary to effectuate that relief. Immediate and present danger of abuse to the plaintiff or minor children shall constitute good cause.

\* \* \* \* \*

**Official Note:** Subdivision A of this rule is [ taken ] derived from Section 6110(a)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110(a), which permits the hearing officer to grant limited relief in accordance with Section 6108(a)(1), (2) and (6) or (1) and (6) of the Act (relating to relief).

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; amended November 2, 2001, effective February 1, 2002.

Rule 1209. [ Execution ] Service and execution of emergency protection orders.

The hearing officer shall provide to the plaintiff a copy of a protection order made under Rule 1208. The hearing officer or, when necessary, the plaintiff shall immediately deliver a service copy of any protection order made under Rule 1208 to a police officer, police department, sheriff or certified constable for service upon the defendant and execution. [ If the defendant is present at the time the protection order is executed, the executing officer shall serve a copy of the petition form containing the order upon the defendant. Otherwise, ] After making reasonable effort, if the executing officer is unable to serve the protection order upon the defendant in a timely fashion, the executing officer shall leave [ the ] a service copy of the petition form containing the order with the [ plaintiff ] police department with jurisdiction over the area in which the plaintiff resides for service upon the defendant, and shall advise such police department that the order could not be served.

**Official Note:** The hearing officer should provide the plaintiff with at least one copy of a protection order, but more than one copy may be needed. For example, the plaintiff may wish to serve the order upon multiple police departments when the plaintiff lives and works in different police jurisdictions, etc. If it is necessary for the plaintiff to deliver the protection order to the executing officer, the hearing officer should make sure that the plaintiff fully understands the process and what must be done to have the order served upon the defendant. The hearing officer should make every effort to have the protection order served by a law enforcement officer in a timely fashion. The Rule requires that if the executing officer is unable to serve the protection order in a timely fashion, the executing officer shall leave a service copy of the order with the police department with jurisdiction over the area in which the plaintiff resides. This was thought advisable so that the local police would have a service copy in case they would be called to the plaintiff's residence should the defendant return there. Due to the emergency nature of these protection orders and the fact that to be meaningful they must be served and executed at night or on a weekend, the hearing officer should have the authority to use police officers as well as sheriffs and certified constables to

serve and execute these orders. [See] *See* Section 6109(a)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6109(a).

**Service shall be made without prepayment of costs. See Rule 1206(C).**

Service of protection orders upon the defendant at the time of execution may not be possible under some circumstances.

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; **amended November 2, 2001, effective February 1, 2002.**

Rule 1210. Duration of **emergency** protection orders.

Protection orders issued under Rule 1208 shall expire **[as of the resumption of business of the court at the beginning of the next business day] at the end of the next business day the court deems itself available.**

**Official Note:** This rule is **[taken]** derived from Section 6110(b)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110(b). **Practice varies among the judicial districts as to what procedures the plaintiff must follow to continue in effect a protection order in the court of common pleas upon the certification of an emergency protection order to the court of common pleas. The hearing officer should provide clear instructions to the plaintiff as to what must be done to continue in effect the protection order in the court of common pleas. See Rule 1206 and Note and Rule 1211 and Note.**

Adopted effective March 24, 1977. Amended effective March 27, 1992; **amended November 2, 2001, effective February 1, 2002.**

Rule 1211. Certification to court **of common pleas.**

A. Any protection order issued under Rule 1208, together with any documentation in support thereof, shall immediately be certified to the court **of common pleas** by the hearing officer.

B. Certification under subdivision A of this Rule shall be accomplished by sending to the prothonotary of the court by first class mail or messenger a certified **[true]** copy of the petition form containing the order, with any supporting documentation attached.

**Official Note:** Certification under subdivision A of this rule is required by Section 6110(c)[ , Title 23 ] of the Protection From Abuse Act, 23 Pa.C.S. § 6110(c). **This rule is also consistent with Pa.R.C.P. No. 1901.3(b) which permits commencement of an action by filing with the prothonotary a certified copy of an emergency protection order. However, practice varies among the judicial districts as to how the protection order is continued in effect after it is certified to the court of common pleas. For example, some judicial districts may require that the plaintiff appear in person to continue the action in the court of common pleas. Others may automatically commence an action in the court of common pleas upon receipt of a certified copy of the emergency order from the hearing officer. See Rule 1206 and Note and Rule 1210 and Note.**

**[At the request of the plaintiff, the hearing officer may appoint]** **Depending on local practice,** the plaintiff or the plaintiff's representative **[to]** may act as a messenger under subdivision B of this rule.

Adopted effective March 24, 1977. Amended June 30, 1982, effective 30 days after July 17, 1982; amended effective March 27, 1992; **amended November 2, 2001, effective February 1, 2002.**

#### FINAL REPORT<sup>1</sup>

*Amendments to Rules 1201 through 1211 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices*

#### EMERGENCY RELIEF UNDER THE PROTECTION FROM ABUSE ACT

On November 2, 2001, effective February 1, 2002, upon the recommendation of the Minor Court Rules Committee, the Supreme Court of Pennsylvania amended Rules 1201 through 1211 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices.

##### I. Background

In response to an inquiry regarding an inconsistency between the Protection From Abuse Act, 23 Pa.C.S. § 6101 et seq., and the Rules of Civil Procedure Governing Actions and Proceedings Before District Justices, the Minor Court Rules Committee undertook a review of Chapter 1200 of the Rules, relating to Emergency Relief Under the Protection From Abuse Act. The Committee recommended amendments to these rules to make both substantive changes and clarifications and related technical or "housekeeping" amendments to bring the rules into conformity with the Protection From Abuse Act and the correlative Rules of Civil Procedure.

##### II. Discussion Of Rule Changes

A. *Substantive Changes—Rules 1204, 1206, 1208, 1209, 1210, and 1211*

###### 1. Rule 1204—Venue

After review of the Act and the Rules of Civil Procedure, the Committee recommended that Rule 1204 relating to venue be amended to make it more closely conform with Pa.R.C.P. No. 1901.1. Specifically, the Committee determined that the options for appropriate venue in emergency PFA actions should be expanded to provide the necessary flexibility to a plaintiff who may have to flee the county of permanent residence to escape further abuse. As noted in the revised Comment, this rule is intended to provide maximum flexibility to a plaintiff to use a convenient forum to seek an emergency protective order. However, where practicable, the Committee believes that plaintiffs should give preference to filing in the magisterial district in which the plaintiff resides, either temporarily or permanently, or in the magisterial district in which the abuse occurred.

###### 2. Rule 1206—Commencement of Proceedings

After review of the Protection From Abuse Act, the Committee recommended that Rule 1206 be amended to more closely conform with the requirements and language of Section 6110(d) of the Act, 23 Pa.C.S. § 6110(d). Section 6110(d) requires that the hearing officer provide specific information to the plaintiff that formerly was not expressly stated in Rule 1206. Also, with regard to commencement of proceedings in the court of common

<sup>1</sup> The Committee's Final Report should not be confused with the official Committee Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Notes or the contents of the Committee's explanatory Final Reports.

pleas, the Committee felt it important to recognize differences in local practice. As such, the Committee recommended that Rule 1206 be amended and its Note revised to make clear that hearing officers should explain the procedures for continuing actions in the court of common pleas. This concern is also reflected in the amendments to Rules 1210 and 1211.

Further, the Committee recommended a new subsection C, to require that petitions for emergency protection orders be filed and service be made without prepayment of costs. This subsection is derived from Section 6106(b) of the Act, 23 Pa.C.S. § 6106(b), and reflects the practice when a temporary order is issued in the court of common pleas. In making this recommendation, the Committee recognized that petitioners for emergency protection orders are often in a crisis situation and are unable or unprepared to pay the associated costs at the time an order is sought. The Committee anticipates that the court of common pleas can make a determination regarding the payment of costs of the emergency order after the order is certified to the court of common pleas pursuant to Rule 1211.

### 3. Rule 1208—Findings and Protection Orders

After review of the Protection From Abuse Act, the Committee recommended that Rule 1208 be amended to more closely conform with the language of Section 6110(a) of the Act, 23 Pa.C.S. § 6110(a). The Committee noted that the authority for hearing officers to grant emergency relief is actually found in Section 6110(a) of the Act, not Section 6108(a) of the Act as was suggested by the former language of the Rule. The Committee felt that the reference to the specific forms of relief that can be granted by hearing officers (that is, relief under Sections 6108(a)(1), (2), and (6) or (1) and (6)) more appropriately belongs in the Note to Rule 1208.

### 4. Rule 1209—Service and Execution of Emergency Protection Orders

After review of the Act and considerable discussion, the Committee recommended that substantial changes be made to Rule 1209 related to service. First, the amended rule specifies that certified constables may be used to make service to conform with Section 2942(a) of the Judicial Code, 42 Pa.C.S. § 2942(a), relating to certification of constables.

Secondly, the Committee struggled with the very practical and common problem of the inability of an executing officer to make service upon the defendant. This is common where an incident of abuse occurs, the police are called, and the abuser flees to avoid arrest or service of process. It is also common, however, for an abuser to return later, placing the victim in danger of further abuse. The former language of Rule 1209 required that when an executing officer is unable to make service, the officer should leave the service copy of the order with the plaintiff for service upon the defendant. The Committee felt that a plaintiff making service upon an abusive defendant was at best ill advised and at worst extremely dangerous. The Committee desired to remove from the Rule any suggestion that a plaintiff should be required to make service upon a defendant. Accordingly, the amended Rule requires that the executing officer, after making reasonable effort to serve the order, leave a service copy of the order with the police department having jurisdiction over the area in which the plaintiff resides. Further, the executing officer is required to advise the police department that the order could not be served. By requiring this, the Committee hopes that in cases where

the defendant could not be served by the executing officer and the defendant returns to the plaintiff's residence, the plaintiff could call the police who would respond and serve the order upon the defendant.

Also, the Committee felt it necessary to revise the Note to Rule 1209 to make clear that a plaintiff may need more than one copy of a protection order where a plaintiff may want to provide copies of the order to more than one police department. This is common, for example, where a plaintiff lives and works in different police jurisdictions.

Finally, the Committee recommended that a statement be added to the Note to Rule 1209 as a cross reference to Rule 1206 making it absolutely clear that service is to be made without prepayment of costs.

### 5. Rule 1210—Duration of Emergency Protection Orders

After review of the Protection From Abuse Act, the Committee recognized the need for a simple yet important change to Rule 1210 to bring the Rule into conformity with Section 6110(b) of the Act, 23 Pa.C.S. § 6110(b). Specifically, the amended Rule makes clear that emergency protection orders expire at the end of the next business day that the court of common pleas deems itself available. Also, the Committee recommended that the Note to Rule 1210 be amended to include an important cross reference to Rules 1206 and 1211 relating to commencement of actions in the court of common pleas.

### 6. Rule 1211—Certification to Court of Common Pleas

After considerable discussion, it became clear to the Committee that practice varies greatly among the judicial districts as to how emergency protection orders are certified to the court of common pleas and how proceedings in the court of common pleas are commenced upon expiration of emergency protection orders. For example, some judicial districts may require that the plaintiff appear in person to continue an action in the court of common pleas. Others may automatically commence an action in the court of common pleas upon receipt of the certified copy of the emergency order from the hearing officer. The Committee felt it important, therefore, to revise the Note to Rule 1211 to address these differences in local procedure with regard to commencement of actions in the court of common pleas. The Committee would anticipate that the courts of common pleas would provide clear instructions to the district justices or hearing officers in the judicial district as to the local procedures for continuing an action in the court of common pleas.

### B. Technical or "Housekeeping" Amendments—Rules 1201, 1202, 1203, 1205, and 1207

The Committee felt it necessary to propose minor technical or "housekeeping" amendments to Rules 1201, 1202, 1203, 1205, and 1207 to use consistent and proper citation form and to correct minor references to statutory provisions, including the Protection From Abuse Act. The Committee also felt it appropriate to delete the outdated and unnecessary "Explanatory Comment—1992" following Rule 1201 and the outdated and unnecessary Note to Rule 1202.

[Pa.B. Doc. No. 01-2098. Filed for public inspection November 21, 2001, 9:00 a.m.]

# Title 252—ALLEGHENY COUNTY RULES

## ALLEGHENY COUNTY

Civil Procedure Rules A502—A504; No. 5 of 2001,  
Rules Doc.

### Order of Court

*And Now*, to-wit, the 7th day of November, 2001, pursuant to action of the Board of Judges, the within new local Rules A502, A503 and A504 affecting the Civil Division of the Court of Common Pleas are adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

ROBERT A. KELLY,  
*President Judge*

### Local Rule A502. Appeals From Decisions of the Board of Property Assessment, Appeals and Review.

(a) Tax assessment appeals from decisions of the Board of Property Assessment, Appeals and Review shall be governed by Local Rule A503.

(b) Tax exemption appeals from decisions of the Board of Property Assessment, Appeals and Review shall be governed by Local Rule A504.

*ACBA Court Rules Committee Note:* Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment, Appeals and Review. New Local Rules A503 and A504 have been adopted to address the different procedures that apply to tax assessment and tax exemption appeals. New Local Rule A502 incorporates Local Rules A503 and A504 and sets forth the procedures that apply when both a tax assessment appeal and a tax exemption appeal will be or have been filed with respect to the same subject property.

(c) When the Board of Property Assessment, Appeals and Review has decided both the tax exempt status and the assessed value of the subject property, a party or parties may appeal both of these decisions to the Court of Common Pleas by filing two separate appeals. The tax assessment appeal shall refer to the separately filed tax exemption appeal and shall be governed by Local Rule A503. The tax exemption appeal shall refer to the separately filed tax assessment appeal and shall be governed by Local Rule A504. The tax assessment appeal shall be stayed until such time as the Court has entered a final order with respect to the tax exemption appeal.

### Local Rule A503. Appeals From Real Estate Tax Assessment.

The following provisions shall govern all tax assessment appeals from decisions of the Board of Property Assessment, Appeals and Review:

*ACBA Court Rules Committee Note:* Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment, Appeals and Review. New Local Rule A503 applies only to tax assessment appeals. For

procedure governing tax exemption appeals, see Local Rule A504.

#### (a) Parties.

(1) The following parties must be listed in the caption of the appeal:

(i) owner(s) of the real estate and/or taxable property;

(ii) the municipality in which the property is located;

(iii) the school district in which the property is located; and

(iv) the County of Allegheny.

(2) Any entity other than those set forth in subsection (a)(1) of this Rule must file a Petition to Intervene with the Real Estate Tax Appeal Judge in accordance with the Pennsylvania Rules of Civil Procedure to become a party.

#### (b) Caption.

(1) The party filing the appeal shall be designated as the appellant. All other parties shall be designated as appellees or interested parties.

(2) The caption and cover sheet shall clearly state whether the appeal involves commercial or residential property.

#### (c) Time For and Content of Appeals.

(1) An appeal from the decision of the Board of Property Assessment, Appeals and Review must be verified pursuant to Pennsylvania Rule of Civil Procedure 206.3 and filed with the Allegheny County Prothonotary within thirty days of the date of mailing of the notice by the Board.

(2) An appeal shall be in substantially similar form as set forth in Form \_\_\_\_\_ and shall contain the following:

(i) names of the parties;

(ii) identification of the property by address, deed book volume and page, lot and block number and whether the property is residential or commercial;

(iii) a concise statement of the reasons for the appeal; and

(iv) a copy of the decision of the Board of Property Assessment, Appeals and Review.

(3) No Order of Court is required to file an appeal.

#### (d) Notice.

Appellant shall give notice of the appeal by first class mail, postage prepaid, to all parties and the Board of Property Assessment, Appeals and Review, within seven days of the filing of the appeal and shall file proof of service thereof.

#### (e) Filing of Appeals.

The filing of an appeal by any party shall act as an appeal by all parties.

#### (f) Withdrawal of Appeals.

No appeal may be withdrawn without the consent of all other parties or leave of court. Any party who fails to appear at the conciliation without prior notice to the Board of Viewers shall be deemed to have consented to the withdrawal of the appeal.

#### (g) Motions.

All motions in real estate tax assessment appeals shall be presented to the Real Estate Tax Appeal Judge.

(h) *Board of Viewers.*

All tax assessment appeals from decisions of the Board of Property Assessment, Appeals and Review shall be assigned to a Board of Viewers appointed by the Administrative Judge of the Civil Division pursuant to 72 P. S. 5020-518.1.

(i) *Discovery.*

(1) In all cases involving non-residential property, the taxing bodies may serve a copy of "Tax Assessment Appeal Discovery Requests," which are set forth in Form \_\_\_\_\_ hereto, on the taxpayer. The taxpayer shall furnish the information sought in the Discovery Requests within forty-five days after receipt thereof.

(2) No party may seek additional discovery through Interrogatories, Request for Production of Documents or otherwise until discovery has been sought through the "Tax Assessment Appeal Discovery Requests." Parties seeking additional discovery or any discovery in cases involving residential property must petition the Real Estate Tax Appeal Judge for discovery, who may refer the petition to the Administrative Chairman of the Board of Viewers for recommendation.

(3) Any discovery disputes, including without limitation any Motion(s) for Protective Order or Motion(s) to Compel, shall be presented upon proper notice to the Real Estate Tax Appeal Judge.

(4) Discovery shall conclude sixty-five days prior to the date scheduled for conciliation.

(j) *Conciliation.*

(1) All appeals shall be conciliated before a hearing by a panel of the Board of Viewers assigned thereto.

(2) At the time of conciliation, all parties or their counsel shall be present with full authority to effectuate a settlement of the appeal.

*ACBA Court Rules Committee Note:* The Committee advises parties and counsel to pay particular attention to the notice of conciliation. In appropriate cases, the conciliation and hearing may be scheduled on the same day. In such instances, the parties must appear at the conciliation ready to move directly into a hearing if the conciliation does not result in settlement.

(3) If any party fails to comply with the provisions of this Rule, the Board of Viewers may include in their report a recommendation for the imposition of appropriate sanctions, including, but not limited to, attorneys' fees and costs against the party or parties failing to comply.

(4) At the time of conciliation, if the Board of Viewers determines that the interests of justice will not be served by continuing the proceedings before the Board of Viewers, the Board of Viewers may recommend to the Administrative Judge that the real estate tax assessment appeal be placed on a non-jury trial list. In the event that the Administrative Judge places the real estate tax assessment appeal on a non-jury trial list, the following shall apply:

(i) Sections (l), (m), (n), (o), (p), (q) and (r) of this Rule shall no longer apply.

(ii) All further proceedings shall be in accordance with the Pennsylvania Rules of Civil Procedure and Local Rule 249 III (Calendar Control Judge).

(k) *Pre-Trial Statement in Non-Residential Tax Assessment Appeal.*

(1) Sixty days prior to the date scheduled for conciliation of a non-residential tax assessment appeal, the appellant shall distribute to all counsel of record, or if counsel have not entered an appearance on the party(ies), and to the panel of the Board of Viewers assigned to the case a pre-trial statement. The pre-trial statement shall incorporate the following information or documents:

(i) a description of the use of the real estate and the nature of the real estate;

(ii) a list of all persons who will give testimony in the trial of this appeal;

(iii) a list of all exhibits which the party intends to use at trial;

(iv) any report, including without limitation an expert report or appraisal, of any person or entity who has been retained, employed, or consulted by the parties, who will give testimony in the trial of this appeal.

*ACBA Court Rules Committee Note:* Former Local Rule 502 required only the owner of non-residential property to file a conciliation statement. Local Rule A503 has been redrafted to require, in an appeal of non-residential property, both the taxpayer and the taxing bodies to file pre-trial statements. In conjunction with the change from a "conciliation" statement to a "pre-trial" statement, new Local Rule A503 shifts the focus to the parties' anticipated evidence at trial and eliminates the need to list information that will not be part of the party's case at trial. Local Rule A503 also requires parties to include in the pre-trial statement any expert reports and/or appraisals. By its terms, section (k) does not apply to residential tax assessment appeals.

(2) Twenty days prior to the date scheduled for conciliation of a non-residential tax assessment appeal, the appellee(s) shall distribute to all counsel of record, or if counsel have not entered an appearance on the party(ies), and to the panel of the Board of Viewers assigned to the case a pre-trial statement. The pre-trial statement shall incorporate the following information or documents:

(i) a description of the use of the real estate and the nature of the real estate;

(ii) a list of all persons who will give testimony in the trial of this appeal;

(iii) a list of all exhibits which the party intends to use at trial;

(iv) any report, including without limitation an expert report or appraisal, of any person or entity who has been retained, employed, or consulted by the parties, who will give testimony in the trial of this appeal.

(3) All interested parties whose interests are aligned with the appellant shall distribute their Pre-Trial Statement in accordance with subsection (k)(1) of this Rule. All interested parties whose interests are aligned with the appellee(s) shall distribute their Pre-Trial Statement in accordance with subsection (k)(2) of this Rule.

(4) The failure to comply with subsections (k)(1), (k)(2) and (k)(3) of this Rule shall result in appropriate relief, which may include the exclusion or limitation at trial of testimony or evidence which was not provided in the pre-trial statement or a recommendation for the imposition of attorneys' fees and costs against the party or parties failing to comply.

(l) *Hearing.*

(1) The Board of Viewers shall schedule a hearing and shall provide notice of the hearing to all parties and/or counsel of record.

*ACBA Rules Committee Note:* The Committee advises parties and counsel to pay particular attention to the notice of hearing. In appropriate cases, the conciliation and hearing may be scheduled on the same day. In such instances, the parties must appear at the conciliation ready to move directly into a hearing if the conciliation does not result in settlement.

(2) The hearing shall be recorded by a court reporter.

(3) The Board of Viewers, at its discretion, may continue the hearing.

(m) *Report.*

Following the hearing, the Board of Viewers shall file its written Report and Recommendation with the Court. The Court, after review, may accept the Report by filing an Interim Order, or reject the Report and remand for further proceedings.

(n) *Objections.*

If the Court accepts the Board of Viewers' Report and Recommendation, the parties may file objections to the Report and Recommendation within ten days of receipt of the Court's Interim Order. Objections must be accompanied by a certification of counsel that the trial transcript, or necessary portions thereof, have been ordered from the court reporter. Copies of the objections and certification shall be served on all counsel of record or if counsel have not entered their appearance on the party(ies), the Board of Viewers and the Court.

(o) *Briefs on Objections.*

Within twenty days of the date on which the transcript is filed of record, the moving party shall file a Brief in Support of Objections and shall serve a copy on all counsel of record or if counsel have not entered their appearance on the party(ies), and the Court. The Brief in Support of Objections shall refer to transcript page numbers where possible. The moving party's failure to file a Brief in Support of Objections shall constitute a waiver of all issues which could have been raised therein.

(p) *Opposing Briefs.*

Within twenty days after the moving party has filed its Brief in Support of Objections, responding parties shall file their Briefs in Opposition to Objections and serve a copy on all counsel of record or if counsel have not entered their appearance on the party(ies), and the Court.

(q) *Oral Argument.*

After the date set for Briefs in Opposition to Objections has passed, the moving party shall notify the Court that the matter is ripe for argument by filing a Notice That Matter is Ripe for Oral Argument in the same form as that set forth in Form \_\_\_\_\_. The moving party shall serve a copy of this Notice on all counsel of record or if counsel have not entered their appearance on the party(ies). Upon the filing of this Notice, the Court shall schedule oral argument.

(r) *Final Order.*

In the event that none of the parties file Objections as described above, the Report and Recommendation shall become the final Order of the Court.

**FORM \_\_\_\_\_**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

(Name), CIVIL DIVISION

Appellant, No. B.V. \_\_\_\_\_

v.

(Name or Names), COMMERCIAL/  
RESIDENTIAL (choose  
one) REAL ESTATE  
INVOLVED

Appellees.

INTERESTED PARTIES (if applicable):

(Names)

PETITION FOR ASSESSMENT APPEAL FROM  
ADJUDICATION OF THE BOARD OF PROPERTY  
ASSESSMENT, APPEALS AND REVIEW

AND NOW, comes (name) and files the within Petition for Assessment Appeal from Adjudication of the Board of Property Assessment, Appeal and Review, and in support thereof states as follows:

1. Appellant is the owner of commercial/residential real estate and/or taxable property known as (name of business and address) (the "Property"). The Property is recorded at (deed book volume and page) and has been assigned lot and block number (fill in).

2. The County of Allegheny, the (town) and the (school district) are the taxing bodies interested in the taxable status of the Property.

3.—6. (see below)

or

1. Appellant is a political subdivision of the Commonwealth of Pennsylvania and is a taxing body having a cognizable interest in the taxable status of the property which is the subject of this appeal. (Other taxing bodies) also have a cognizable interest in the taxable status of the property which is the subject of this appeal.

2. (Name) is the owner of the commercial/residential real estate and/or taxable property which is the subject of this appeal (the "Property"). The Property is located at (address). The Property is recorded at (deed book volume and page) and has been assigned lot and block number (fill in).

3. The Board of Property Assessment, Appeals and Review of Allegheny County (the "Board") is authorized to assess and value real property for the purpose of taxation and to hear appeals from these assessments by aggrieved parties.

4. The Board made an assessment of the Property. (Name) appealed from this assessment to the Board asking that the assessment be reduced/raised.

5. Following a hearing, the Board disposed of the appeal by not changing/reducing/raising the assessment. A copy of the Board's adjudication notice is attached hereto and incorporated herein as Exhibit A.

6. Appellant is aggrieved by the Board's adjudication. Specifically, Appellant avers, on information and belief, that the assessment is unfair, unreasonable and excessive/too low. Appellant further avers as follows (list all that apply):

a. The assessment is not equal or uniform with other properties similarly located in the County of Allegheny.

b. The ratio between the market value and the assessment value of the Property is substantially higher than numerous other similar properties located in the County of Allegheny.

c. There is a complete lack of uniformity in the assessment of real estate within the County of Allegheny which makes the Property assessment unjust, unreasonable and discriminatory.

d. (Any other now known reason.)

e. Other such reasons as will be developed at the time of hearing.

WHEREFORE, Appellant requests this Honorable Court to increase/decrease the assessment to such amount as may be right and proper.

(date) (signature)

**FORM \_\_\_\_\_**

**NOTICE THAT MATTER IS RIPE FOR ORAL ARGUMENT AND**

AND NOW, comes (name) and notifies this Honorable Court pursuant to Local Rule A503(q) that this matter is ripe for oral argument and requests that this Honorable Court schedule oral argument at its convenience.

(date) (signature)

**FORM \_\_\_\_\_**

**TAX ASSESSMENT APPEAL DISCOVERY REQUESTS**

AND NOW, comes (name) and serves the within Tax Assessment Appeal Discovery Requests upon (name). Pursuant to Local Rule A503(i), all applicable responses to these Requests must be furnished within forty-five days after the receipt of these Requests.

**REQUESTS FOR DOCUMENTS**

Please produce a copy of the following:

1. Any and all surveys (land, structural, environmental, etc.), building plans and site plans showing design construction and location of the subject property.

2. Any and all mortgages, promissory notes, deeds, and agreements of sale made or assumed on the subject property within the last three years and the corresponding closing statements.

3. Any and all appraisals or evaluations on the subject property which have been made during the last three years.

4. Any and all loan applications of any kind involving or relating to the subject property which have been signed or submitted within the past three years.

5. Any and all leases, land leases, agreements, licenses, occupancy schedules, rent schedules (or rolls) relating to the subject property for the last three years.

6. Any and all written listing agreements, offers to purchase or offers to sell the subject property made within the last three years.

7. Any and all soil tests or mineral evaluations, permit requests, permits, requests relative to zoning or a zoning variance, or similar applications or requests to any governmental body within the past three years concerning the subject property and the result of any such applications or requests.

8. Any and all federal and state Income Tax Returns and audited financial statements with respect to the subject property within the last three years.

9. Any and all corporate or partnership prospectus or private placement memorandum that contain any reference to the value of the subject property within the last three years.

10. Any and all insurance policies and/or binders covering the subject property, its building contents, buildings or any business located thereon from the last three years.

11. Any and all documents which describe in whole or in part any physical improvements to the subject property (whether by the owner or by a tenant) within the last three years.

12. Any and all documents listing or describing capital improvement(s) made to the subject property over the past three years including the costs of the capital improvements and the completion date(s).

13. Any and all documents relating to leasing commissions paid with respect to the subject property over the last three years including the corresponding tenant space, the commission paid, and the date.

**INTERROGATORIES**

Please provide the following information:

1. The name, address and telephone number of the person to contact regarding conducting an inspection of the subject property.

(Date) (Signature)

**Local Rule A504. Appeals From Real Estate Tax Exemption.**

The following provisions shall govern all tax exemption appeals from decisions of the Board of Property Assessment, Appeals and Review:

*ACBA Court Rules Committee Note:* Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment, Appeals and Review. Local Rule A504 has been added to specifically address procedures governing tax exemption appeals. For procedure governing tax assessment appeals, see Local Rule A503.

(a) *Parties.*

(1) The following parties must be listed in the caption of the appeal:

(i) owner(s) of the real estate and/or taxable property;

(ii) the municipality in which the property is located;

(iii) the school district in which the property is located; and

(iv) the County of Allegheny.

(2) Any entity other than those set forth in subsection (a)(1) of this Rule must file a Petition to Intervene with the Real Estate Tax Appeal Judge in accordance with the Pennsylvania Rules of Civil Procedure to become a party.

(b) *Caption.*

(1) The party filing the appeal shall be designated as the appellant. All other parties shall be designated as appellees or interested parties.

(2) The caption and cover sheet shall clearly state that it is a tax exemption appeal.

(c) *Time For and Content of Appeals.*

(1) An appeal from the decision of the Board of Property Assessment, Appeals and Review must be verified pursuant to Pennsylvania Rule of Civil Procedure 206.3



and filed as a General Docket case with the Allegheny County Prothonotary within thirty days of the date of mailing of the notice by the Board.

(2) An appeal shall contain the following:

- (i) names of the parties;
- (ii) identification of the property by address, deed book volume and page, and lot and block number;
- (iii) a concise statement of the reasons for the appeal; and
- (iv) a copy of the decision of the Board of Property Assessment, Appeals and Review.

(3) No Order of Court is required to file an appeal.

(d) *Notice.*

Appellant shall give notice of the appeal by first class mail, postage prepaid, to all parties and the Board of Property Assessment, Appeals and Review, within seven days of the filing of the appeal and shall file proof of service thereof.

(e) *Filing of Appeals.*

The filing of an appeal by any party shall act as an appeal by all parties.

(f) *Withdrawal of Appeals.*

No appeal may be withdrawn without the consent of all other parties or leave of court.

(g) In all other respects, tax exemption appeals from decisions of the Board of Property Assessment, Appeals and Review shall be governed by the Pennsylvania Rules of Civil Procedure and the Allegheny County Local Rules governing civil actions assigned to an individual judge.

[Pa.B. Doc. No. 01-2099. Filed for public inspection November 21, 2001, 9:00 a.m.]

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## Title 255—LOCAL COURT RULES

SCHUYLKILL COUNTY

Rules of Civil Procedure; S-2191-01

### Order of Court

*And Now*, this 2nd day of November 2001, at 1:00 p.m., the Court hereby adopts Schuylkill County Civil Rule of Procedure No. 1303(f) for use in the Court of Common Pleas of Schuylkill County, Pennsylvania (21st Judicial District). This rule shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

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

- 1) File ten (10) certified copies of this Order and Rule with the Administrative Office of Pennsylvania Courts.
- 2) File two (2) certified copies of this Order and Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* together with a diskette reflecting the text in the hard copy version.
- 3) File one (1) certified copy of this Order and Rule with the Pennsylvania Civil Procedural Rules Committee.
- 4) Forward one (1) copy to the Schuylkill County Law Library for publication in the *Schuylkill Legal Record*.
- 5) Keep continuously available for public inspection copies of this Order and Rule.

*By the Court*

WILLIAM E. BALDWIN,  
*President Judge*

### Rule 1303(f).

The Court may assess a late settlement fee for arbitration cases which are settled within three days of the scheduled arbitration hearing.

[Pa.B. Doc. No. 01-2100. Filed for public inspection November 21, 2001, 9:00 a.m.]

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Transfer to Inactive Status

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated November 8, 2001, David Allen Curcio, is immediately transferred to inactive status pursuant to Rule 301(c), Pa.R.D.E. (relating to disabled attorneys) for an indefinite period and until further order of the Court. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director and Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 01-2101. Filed for public inspection November 21, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 250]

#### Land Recycling Program

The Environmental Quality Board (Board) by this order amends Chapter 250 (relating to administration of land recycling program). The amendments provide up-to-date scientific information on toxicity and other parameters of substances and corresponding changes along with corrections to the Statewide health standard medium-specific concentrations (MCS) (numeric standards). The amendments also contain policy clarifications and changes to address issues raised during implementation of the land recycling program and during the Department of Environmental Protection's (Department) 1998-99 land recycling program evaluation.

This order was adopted by the Board at its meeting of September 18, 2001.

#### A. *Effective Date*

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

#### B. *Contact Persons*

For further information, contact Thomas K. Fidler, Chief, Division of Land Recycling and Cleanup Program, P. O. Box 8471, Rachel Carson State Office Building, Harrisburg, PA 17105-8471, (717) 783-7816; or Kurt Klapkowski, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This rulemaking is available electronically through the Department's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)).

#### C. *Statutory Authority*

This rulemaking is being made under the authority of sections 104(a), 301(c) and 303(a) of the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.104(a), 6026.301(c) and 6026.303(a)) (Act 2). Section 104(a) of Act 2 authorizes the Board to adopt Statewide health standards, appropriate mathematically valid statistical tests to define compliance with Act 2 and other regulations that may be needed to implement the provisions of Act 2. Section 301(c) of Act 2 authorizes the Department to establish by regulation procedures for determining attainment of remediation standards when practical quantitation limits set by the United States Environmental Protection Agency (EPA) have a health risk that is greater than the risk levels established in Act 2. Section 303(a) of Act 2 authorizes the Board to promulgate Statewide health standards for regulated substances for each environmental medium and methods used to calculate the standards.

#### D. *Background and Purpose*

Aside from minor typographical or technical corrections to the Act 2 regulations, there are two basic reasons for the changes in this regulatory proposal. One is more up-to-date scientific information on parameters that affect

the calculation of the Statewide health standard MSCs. The second is policy clarifications or developments that the Board determined would improve implementation of the Statewide health standard and attainment provisions in the land recycling program. These policy amendments primarily concern the process involved in nonuse aquifer determinations and attainment demonstrations at petroleum release sites.

The Cleanup Standards Scientific Advisory Board (CSSAB) was consulted on the proposed rulemaking and this final-form rulemaking as well. In areas where they had concerns, the CSSAB suggested language that has been incorporated into this final-form rulemaking. On February 3, 2000, the CSSAB voted to recommend approval of the proposed regulation package. The CSSAB considered the final-form rulemaking at its February 22, 2001, and March 26, 2001, meetings. At the March meeting, the CSSAB voted to recommend to the Board approval of the final-form rulemaking.

#### E. *Summary of Comments and Responses and Changes Made in the Final-Form Rulemaking*

Notice of the proposed rulemaking was published at 30 Pa.B. 3946 (August 5, 2000). The proposal, as corrected at 30 Pa.B. 4356 (August 19, 2000), set forth a 60-day comment period.

During the public comment period, the Board received written comments from eight individuals or groups. The Board considered the comments received in formulating the final-form regulations. The Department has prepared a comment and response document that addresses each comment on the proposed regulations.

A copy of that document was presented to the Board along with this final-form rulemaking and is available from the contact persons listed in Section B of the Preamble.

The following is a summary of major comments received and changes that have been made to the proposed rulemaking. The summary is listed in the same order as the final-form regulations.

#### *Section 250.1. Definitions*

This section includes definitions for terms that are not found in the statute but were needed to clarify language in the statute and the regulations. The term "agricultural purposes" was added to clarify what they are and that they include food processing. The commentators agreed with the change.

#### *Sections 250.5 and 250.6. Public notice by applicant; and public participation*

Section 250.5 establishes requirements for public notice for a remediator of a site. Section 250.5(d) is a new subsection pertaining to areas not covered entirely by a nonuse aquifer areawide certification. The subsection requires that when a nonuse aquifer designation request under the Statewide health standard is made to the Department, the remediator shall send notice to every municipality and community water supplier servicing the area requested for nonuse aquifer designation. One commentator believed this would have the effect of deferring approval of nonuse aquifer determinations to the municipality, making the process of getting a nonuse aquifer determination even more difficult and time-consuming. The commentator recognized that it may be useful to

contact the municipality and local community water supplier regarding current and planned future use of groundwater. However, the commentator believed that the approach under this subsection would create a new requirement to obtain a nonuse aquifer determination prior to completion of the final report. The commentator recommended that a nonuse aquifer determination request might be submitted prior to submission of the final report. The commentator concluded that if the remediator could demonstrate that groundwater is not useable and that an ordinance is in place prohibiting groundwater use for drinking water, then the remediator's nonuse aquifer determination should be approved.

The amendment does not add a requirement to obtain concurrence by the municipality or community water supplier prior to nonuse aquifer determination. The conditions upon which the Department will make its determination are based solely on demonstrating compliance with the requirements of § 250.303 (relating to aquifer determination; current use and currently planned use of aquifer groundwater). Approval of use of the nonuse aquifer groundwater standards is, and will continue to be, as it is specified in that section.

Commentators had concerns with the 45-day review period proposed in § 250.5. One commentator felt the time period could be reduced or eliminated because the requirements of § 250.303(c) may be met through the use of local ordinances. The purpose of the 45-day period is to allow the municipality and water supplier to identify information relevant to § 250.303(c) that the Department may consider. During discussion with the CSSAB, it became apparent that municipalities commonly meet once a month, and a 30-day comment period may not be enough time for the nonuse aquifer proposal to be considered by boards and to have public input. The Board does, however, believe that the use of local ordinances will serve to satisfy the requirements of § 250.303(c)(1) and (2). Under this process, water suppliers would be expected to be involved as part of satisfying § 250.303(c), which provides the opportunity for water supplier input. The proposed rulemaking was modified to reflect the use of local ordinances. The purpose behind the 45-day period of review in § 250.5(e) is to allow both the municipality and water supplier to identify information relevant to § 250.303(c) that the Department may consider in making its final determination. In those cases where a local municipal ordinance prohibiting the use of groundwater does not exist, the 45-day review period is retained.

One commentator requested clarification on determining what was meant by receipt as it pertains to submission of a nonuse aquifer determination request. The phrase "receipt of a request" refers to the receipt by the municipality or community water supplier of a nonuse aquifer determination request. The method and procedures are specified in the technical guidance manual.

A commentator indicated that, regarding the requirements applicable to precertification requests and nonuse aquifer determinations, the proposed § 250.6(e) should be expanded to allow public involvement plans to be developed by the parties remediating a site. The commentator noted that under the proposed § 250.303(f) only municipalities and authorities could ask the Department for a nonuse determination. Only these entities would be required to develop a public involvement plan. The commentator indicated that the standards for Department approval of a remediator's request are specified in § 250.303(b), but under the proposed amendments the approval standards would include satisfaction of § 250.6,

which is a set of requirements that can only be satisfied by a municipal authority or municipality. The commentator believed the disconnect between § 250.303(b), as amended, and proposed §§ 250.6(e) and 250.303(f) can be remedied by expanding § 250.6(e) to allow a public involvement plan to be developed by the party remediating a site.

The Department acknowledges that the proposed nonuse aquifer wording changes were not clear and has made clarifications in the final-form rulemaking in §§ 250.5, 250.6 and 250.303. The intent with respect to public notice and participation is that nonuse aquifer proposals made by remediators would not require a public involvement plan. Section 250.303(f) requires that a municipal ordinance prohibiting use of groundwater be in place to obtain an areawide certification. Since the process for developing an ordinance contains sufficient public notice and comment, the Department does not believe that additional public participation in connection with an areawide certification request is necessary. Consequently, the proposed § 250.6(e) has been deleted from the final-form rulemaking.

*Section 250.303. Aquifer determination; current use and currently planned use of aquifer groundwater*

This section identifies the criteria that must be met for a remediator to use the nonuse aquifer MSCs, and the area within which those criteria must be met; establishes a 45-day review period for municipalities and water suppliers; and establishes a process for designating nonuse aquifer areawide certification when no specific site is involved.

One commentator was concerned that the proposal to limit the on-property area to which the requirements of § 250.303(c) apply to the area of the site, rather than to the entire property, would in effect move the point of compliance inside the property boundary.

The rulemaking does not suggest that there are Points of Compliance (POC) internal to the property boundary. Section 250.303(b) does not attempt to apply standards within the property—"behind" the POC—as determined by § 250.302 (relating to point of compliance). Instead, it establishes the geographic area within which the conditions in § 250.303(c) must be met for the site to qualify for a nonuse aquifer standard. As written in the existing version of Chapter 250, the geographic area includes the area within the property, as well as a minimum of 1,000 feet downgradient of the POC. This revision limits the geographic area within the property where the requirements of § 250.303(c) apply to only that area which is contaminated (that is, the "site"). The Board's intention in applying § 250.303 is to assure that anywhere the contamination exists (even within the property), or may reasonably migrate (assuming a minimum of 1,000 feet), that the requirements of § 250.303(c) are met. Once the remediator is granted the use of the nonuse aquifer MSCs, the demonstration of attainment must be made at the POC (normally the property boundary), as determined by § 250.302.

Commentators were concerned that the 45-day period should be reduced to 30 days, that the requirements of § 250.303(c) may be met through the use of local ordinances and that the section imposes a requirement that the municipality and water supplier must concur in the approval of the nonuse aquifer designation.

The Board initially planned to propose a 30-day comment period for municipalities and community water suppliers to review nonuse aquifer designation requests.

As noted previously, the Board recognizes that a 30-day time period may not be enough time for the nonuse aquifer proposal to be considered by municipalities and for the associated public input. Although this is not necessarily a factor with community water suppliers, the Board is declining to accept the commentators' suggestion and the final rulemaking retains the 45-day period in the final rulemaking except where municipal ordinances are in place.

The Board believes there is merit to allowing appropriate local ordinances to satisfy requirements of § 250.303(c)(1) and (2). Under this process, water suppliers should be involved as a part of satisfying § 250.303(c)(3)—(4), which provides opportunity for their input. The final rulemaking includes the use of local ordinances to demonstrate compliance with the § 250.303(c) requirements at an individual site as well as in the designation of nonuse aquifer areas in the absence of a specific cleanup.

One commentator was concerned that the proposed amendment effectively added a requirement to obtain concurrence by the municipality and water supplier prior to approval of the nonuse aquifer determination by the Department. The amendment does not add a requirement to obtain concurrence by the municipality or community water supplier prior to nonuse aquifer determination. The conditions upon which the Department will make its determination are based solely on demonstrating compliance with the requirements of § 250.303. Approval of use of the nonuse aquifer groundwater standards is and will continue to be as it is specified in that section. The purpose behind the notice and the 45-day period of review is to allow both the municipality and water supplier to identify information relevant to § 250.303(c), which the Department may consider in making its final determination. For instance, the Department believes the municipality may be a source of knowledge of the existence of wells used for drinking water, and the water supplier should be a source of information of whether all properties are connected to public water—both examples of conditions relevant to § 250.303(c) criteria.

It is true that by instituting a 45-day review period, this proposed amendment will require the remediator to wait a minimum of 45 days to receive the nonuse aquifer determination from the Department. It will be in the remediator's best interest to file the nonuse aquifer determination request at the time of, or as soon as possible after, the filing of the Notice of Intent to Remediate (NIR).

Commentators had concerns that § 250.303(f) limited the ability to request a nonuse aquifer designation to municipalities and political subdivisions, and that the 3-year sunset provision would make the designation difficult to obtain and implement. Parts of the comments are related to the misunderstanding that the proposed new subsection applied to remediators requesting a nonuse aquifer designation for a specific site. In fact, the Board intended those requirements to only apply in cases where municipalities or redevelopment authorities propose a determination, in the absence of an NIR for a specific site. This process was intended to provide a tool for use by municipalities and redevelopment authorities to encourage the remediation and reuse of contaminated properties. Section 250.303(f) has been modified to provide that a municipal authority or political subdivision can demonstrate that the conditions of § 250.303(c)(1)—(2) are satisfied by documenting that the requirements of § 250.303(c) are met in the designation area and that the

local municipalities have in place an ordinance which prohibits the use of groundwater for drinking or agricultural purposes and requires the lateral connection to a public water supply for every property.

The proposed requirement that the applicant request renewal of the areawide certification every 3 years is deleted from the final-form rulemaking as the result of several commentators' concerns that it makes the process unworkable. In place of mandated renewal timeframes, the Board has revised § 250.303(d) to include a requirement that institutional controls or a postremediation care plan be included in a final report to provide documentation that the site continues to meet the requirements of the nonuse aquifer designation contained in § 250.303(c). The final-form rulemaking also provides a mechanism for determining when the postremediation care may be terminated.

#### *Section 250.311. Evaluation of ecological receptors*

Section 250.311(c) and (d) were modified to clarify that the Constituents of Potential Ecological Concern (CPECs) to be investigated by the screening process are those that are associated with the release being addressed by the current remediation, and not those that may be present as part of the site background or through historical releases at the site.

#### *Section 250.703. General attainment requirements for soil*

A minor change was made to the wording of the proposed changes to this section to clarify the Department's intent that if the contaminated soil is removed from the site, attainment samples are to be taken from the base and sides of the excavation.

#### *Section 250.707 Statistical tests*

Section 250.707(b) was amended to include a procedure for demonstrating attainment of a Statewide health standard for petroleum releases when full characterization has not been completed prior to remediation. Several commentators supported this concept as being a cost-effective method for determining attainment and suggested that the methodology be extended to include all small spills, rather than just petroleum releases. Other commentators suggested that this methodology be extended to the background standard or to restrict its use to cleanups where the final report is submitted within 90 days of the spill or release.

As originally proposed, the amendment restricted the use of this methodology to remediations of regulated storage tank spills being conducted under the Department's guidance document "Closure Requirements for Underground Storage Tank Systems." In the final-form rulemaking, the use of this methodology is extended to include all releases of petroleum products, whether from regulated storage tanks or other sources. However, the Board disagrees with the idea of extending this methodology to all small spills. The Board and the CSSAB felt that it was critical to limit the concept to contaminants that could be easily detected by field observations and measurements and, therefore, could realistically be used in a biased sampling approach. Not all contaminants satisfy this condition because they do not readily exhibit properties that can be seen, smelled, and the like. The Board and the CSSAB felt that field observations and measurements could easily detect petroleum spills, and these present the bulk of the small spill cases under Act 2. Commentators also suggested extending this option to the background standard, and restricting this option to remediations being completed within 90 days of the spill or release. The Board does not agree that the suggested

changes are appropriate and these options are not a part of the final-form rulemaking.

Finally, the term "full site characterization" was clarified by adding a reference to the requirements of § 250.204(b) (relating to final report). That section provides a detailed description of the items included in a full site characterization.

#### *Appendix A. Statewide Health MSC Tables*

Changes to the MSC values from those published in the proposed amendment occurred as the result of new toxicological values being available since the publication of that amendment and the changes to several MCL values published by the EPA in the same time period. Several commentators commented that the toxicological values as published in the final-form regulations should use the most current data available. Specifically mentioned were the oral slope factor for beryllium and reference doses for methyl methacrylate and vinyl chloride. Several commentators commented on the methodology for calculating the MSC values for PCBs.

Based upon changes made by the EPA, the MCL or lifetime Health Advisory Level (HAL) was changed for six substances: ethylene glycol, malathion, chlorobenzene, naphthalene, 1,1,2,2-tetrachloroethane and trinitroglycerol (nitroglycerin).

The oral slope factor for beryllium was removed since the value presented in the proposed amendment is no longer cited by any of the sources used in developing the toxicological values.

In the proposed amendment, changes to the oral and inhalation reference doses (RfDo and RfDi) were made for methyl methacrylate, but changes to the direct contact MSC for residential exposures were not. The residential direct contact value changed in the final-form regulations to 10,000 mg/kg. The proposed rulemaking did not correctly show that this value was being revised, so the MSC for methyl methacrylate was not included.

The RfDo for cobalt was revised to 0.02 mg/kg/day, and the RfDi to 0.000005 mg/kg/day.

The RfDo for 1,3-dichlorobenzene was revised to 0.03 mg/kg/day.

An oral slope factor of 0.0018 and an inhalation slope factor of 0.0018 were added for methyl tert-butyl ether.

The RfDo for 2,3,6-trichlorophenol was revised to 0.0003 mg/kg/day and an RfDi of 0.0003 mg/kg/day was added.

The RfDo for hexachlorocyclopentadiene was revised from 0.007 to 0.006 mg/kg/day and the RfDi was revised from 0.00002 to 0.00006 mg/kg/day.

For vinyl chloride, the RfDo was updated to 0.003 mg/kg/day, and the RfDi to 0.029 mg/kg/day.

In the proposed rulemaking, the groundwater MSCs for the individual PCB Aroclor formulations were removed and the MCL for total PCBs was used to provide more consistency with the requirement of Act 2 that the groundwater MSC comply with an MCL where one exists. The soil-to-groundwater numeric values for PCBs in soil were calculated using the MCL for total PCBs in groundwater as the endpoint for the generic value equation in § 250.308 (relating to soil to groundwater pathway numeric values). In consultation with the CSSAB and as the result of several comments on the proposed amendment, the Department has revised the methodology for calculat-

ing MSCs for PCBs in soil and groundwater. For PCBs in groundwater, Table 1 of Appendix A now includes both the MCL for total PCBs and the Aroclor-specific values calculated according to the methodology in § 250.304. It is intended that the remediator have the choice between the MCL and the Aroclor-specific values for PCBs in groundwater. The generic value soil-to-groundwater numeric values in Table 3b of Appendix A have been calculated using the Aroclor-specific groundwater MSCs as the endpoint for the equation in § 250.308. The 100X groundwater MSC value is also based on the Aroclor-specific value.

#### *F. Benefits, Costs and Compliance*

Executive Order 1996-1 requires a cost/benefit analysis of the final-form regulations.

##### *Benefits*

Remediators will benefit from the additional flexibility for demonstrating attainment on groundwater cleanups and in cases where small excavations of soil cleanups are performed. The remediators will also benefit from having information and standards that incorporate more current scientific information than was available during the previous final regulation. Local governments will benefit from their ability to provide comments on nonuse aquifer area designation decisions and from their ability to "pre-certify" areas in their communities as meeting the nonuse aquifer conditions of § 250.303.

##### *Compliance Costs*

There are no direct increased costs from the final-form rulemaking amendment. Indirectly, there are some increases in costs in some areas and decreases in costs in other areas. Increased costs for remediators will occur in cases where the local municipality requests a public involvement plan in the designation of a nonuse aquifer area. These costs will be related to the development of a public participation plan, interaction with the municipality and project delays related to the additional time required to have the municipality involved in the process. Decreased costs will occur associated with the demonstration of compliance with a standard in cases of minor groundwater or soil contamination.

##### *Compliance Assistance Plan*

The land recycling program regularly provides outreach in two areas: updates to the technical guidance manual supporting Chapter 250 and annual client workshops where training on the regulations, guidance and policies takes place.

##### *Paperwork Requirements*

No new paperwork is required by this final-form rulemaking. Additional paperwork will be required when an areawide certification of nonuse aquifer status is voluntarily sought under § 250.303, although a determination will ultimately lead to a reduction in paperwork for remediators who wish to use the areawide determination in future cleanups.

#### *G. Sunset Review*

These final-form regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

#### *H. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 11, 2000, the Department sub-

mitted a copy of the notice of proposed rulemaking, published at 30 Pa.B. 3946, and corrected at 30 Pa.B. 4356, to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Environmental Resources and Energy Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing these final-form regulations, the Department has considered all comments from IRRC, the Committees and the public.

Under section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)), on October 11, 2001, these final-form regulations were deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 18, 2001, and approved the final-form regulations.

I. Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law, and all comments were considered.

(3) These regulations do not enlarge the purpose of the proposal published at 30 Pa.B. 3946 and corrected at 30 Pa.B. 4356.

(4) These final-form regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this Preamble.

J. Order

The Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 25 Pa. Code Chapter 250, are amended by amending §§ 250.1, 250.5, 250.6, 250.303, 250.304, 250.311, 250.703, 250.707 and Appendix A, to read as set forth in Annex A.

(b) The Chairperson of the Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form, as required by law.

(c) The Chairperson shall submit this order and Annex A to IRRC and the Senate and House Environmental Resources and Energy Committees as required by the Regulatory Review Act.

(d) The Chairperson of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau, as required by law.

(e) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

DAVID E. HESS,  
Chairperson

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 6120 (November 3, 2001).)*

**Fiscal Note:** Fiscal Note 7-356 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE VI. GENERAL HEALTH AND SAFETY

CHAPTER 250. ADMINISTRATION OF LAND RECYCLING PROGRAM

Subchapter A. GENERAL PROVISIONS

§ 250.1. Definitions.

In addition to the words and terms defined in the act, the following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*ASTM*—The American Society for Testing and Materials.

*Act*—The Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.909).

*Agricultural purposes*—Commercial agricultural activities, including, but not limited to, irrigation of crops, watering of livestock, and food production, processing or packaging.

*Anisotropy*—The variability of a physical property based on direction, for example, variation in permeability in relation to direction of groundwater flow.

*Community water system*—As defined in the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), a public water system, which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

*EQL*—Estimated quantitation limit.

*Enterprise zone*—An area specially designated as an enterprise zone under requirements determined by the Department of Community and Economic Development.

*Environmental protection acts*—Includes:

(i) The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

(ii) The Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4001.101—4001.1904).

(iii) The Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305).

(iv) The Low-Level Radioactive Waste Disposal Act (35 P. S. §§ 7130.101—7130.906).

(v) The act of July 13, 1988 (35 P. S. §§ 6019.1—6019.6), known as the Infectious and Chemotherapeutic Waste Disposal Law.

(vi) The Air Pollution Control Act (35 P. S. §§ 4001—4015).

(vii) The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31).

(viii) The Noncoal Surface Mining Conservation and Reclamation Act (35 P. S. §§ 3301—3326).

(ix) The Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27).

(x) The Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

(xi) Other State or Federal statutes relating to environmental protection or the protection of public health.

*Habitats of concern*—A habitat defined as one of the following:

- (i) Typical wetlands with identifiable function and value, except for exceptional value wetlands as defined in § 105.17 (relating to wetlands).
- (ii) Breeding areas for species of concern.
- (iii) Migratory stopover areas for species of concern.
- (iv) Wintering areas for species of concern.
- (v) Habitat for State endangered plant and animal species.
- (vi) Federal, State and local parks and wilderness areas, and areas designated as wild, scenic or recreational.
- (vii) Areas otherwise designated as critical or of concern by the Game Commission, the Fish and Boat Commission or the Department of Conservation and Natural Resources.

*Heterogeneity*—Nonhomogeneous structure, composition and physical properties.

*MCL*—Maximum contaminant level.

*MSC*—Medium-specific concentration.

*NIR*—Notice of Intent to Remediate.

*NPDES*—National Pollutant Discharge Elimination System.

*PQL*—Practical quantitation limit.

*Property*—A parcel of land defined by the metes and bounds set forth in the deed for that land.

*Regulated discharge*—A point or nonpoint source discharge subject to the permit or approval requirements of Chapters 91–97 and 102–105 and any diffuse surface or groundwater discharge to surface waters which has the potential to cause an exceedance of the water quality standards in Chapter 93 (relating to water quality standards).

*Risk assessment*—A process to quantify the risk posed by exposure of a human or ecological receptor to regulated substances. The term includes baseline risk assessment, development of site-specific standards and risk assessment of the remedial alternatives.

*SIA—special industrial area*—Property where there is no financially viable responsible person to perform remediation or property located within an enterprise zone, and where the property was used for industrial activity.

*Secondary contaminants*—A regulated substance for which a secondary MCL exists, and no lifetime health advisory level exists.

*Site*—The extent of contamination originating within the property boundaries and all areas in close proximity to the contamination necessary for the implementation of remediation activities to be conducted under the act.

*Species of concern*—Species designated as of special concern, rare, endangered, threatened or candidate by the Game Commission, the Fish and Boat Commission or the Department of Conservation and Natural Resources, if the species has not also been designated threatened or endangered by the Federal government.

*TF*—Transfer factor.

*Volatile compound*—A chemical compound with a boiling point less than 200° centigrade at 1 atmosphere.

### § 250.5. Public notice by applicant.

(a) Public notice under the background, Statewide health or site-specific standard and under a special industrial area cleanup shall be initiated by the applicant through an NIR. For remediations proposing the use of a site-specific standard or, for remediations under an SIA agreement, the public and the municipality where the site is located shall be provided a 30-day period, in the NIR, in which the municipality may request to be involved in the development of the remediation and reuse plans for the site.

(b) The remedial investigation report, the risk assessment report and the cleanup plan, prepared under a site-specific remediation, may not be submitted to the Department until after the initial 30-day public and municipal comment period following the submission of the NIR has expired.

(c) The baseline environmental report, prepared under an SIA remediation, shall be submitted after the initial 30-day public and municipal comment period has expired.

(d) For areas not covered entirely by a nonuse aquifer areawide certification granted under § 250.303(f) (relating to aquifer determination; current use and currently planned use of aquifer groundwater), at the same time a request for a nonuse aquifer designation under the Statewide health standard is made to the Department, the remediator shall send notice to every municipality and community water supplier servicing the area requested for designation as nonuse under § 250.303(b). The notice shall include a copy of the request for determination of nonuse aquifer submitted to the Department.

(e) Upon receipt of notice of a request for a nonuse aquifer designation, the municipality and community water supplier shall have 45 days to indicate to the Department and the remediator any information relevant to the requirements of § 250.303.

### § 250.6. Public participation.

(a) The publication date of the summary of the NIR in a newspaper of general circulation in the area of the site shall initiate the 30-day public and municipal comment period during which the municipality can request to be involved in the development of the remediation and reuse plans for a site being remediated to a site-specific standard or for remediation at an SIA.

(b) The person proposing remediation shall be responsible for developing and implementing a public involvement plan if both of the following circumstances exist:

(1) The remediation involves a site-specific standard or an SIA cleanup.

(2) A municipality, through its official representatives, has requested, in writing, to be involved in the development of the remediation and reuse plans within the 30-day public and municipal comment period identified in the notice to the municipality and the newspaper notice.

(c) If a public involvement plan has been initiated, the person proposing remediation shall, at a minimum, provide:

(1) Public access at convenient locations for document review.

(2) Designation of a single contact person to address questions from the community.

(3) A location near the remediation site for any public hearings and meetings that may be part of the public involvement plan.

(d) If a public involvement plan has been requested, it shall be submitted with one of the following:

- (1) A remedial investigation report under a site-specific remediation.
- (2) A baseline environmental report under an SIA cleanup.

**Subchapter C. STATEWIDE HEALTH STANDARDS**

**§ 250.303. Aquifer determination; current use and currently planned use of aquifer groundwater.**

(a) With the exception of seasonal, localized and hydrologically isolated perched systems under a property, all geologic formations or parts or groups of formations in this Commonwealth which are saturated are presumed to be aquifers for the purpose of applying the Statewide health standards. The term includes saturated residuum such as saprolite and other weathered rock strata or intervals developed from underlying bedrock and other saturated deposits overlying these formations to which the geologic formations are hydrologically connected.

(b) All groundwater in aquifers is presumed to be used or currently planned for use, unless determined otherwise by the Department under this section.

(1) The Department may determine, in writing, based on a demonstration by the person remediating a site identified in an NIR, that groundwater is not used or currently planned to be used, if:

(i) The public participation requirements of § 250.5 (relating to public notice by applicant) are met.

(ii) The requirements in subsection (c) are met within the site on the property and within a radius of 1,000 feet downgradient of the points of compliance plus any additional areas to which the contamination has migrated and might reasonably migrate at concentrations that exceed the MSC for groundwater used or currently planned to be used.

(2) Methods appropriate for determining current or currently planned future use may include door-to-door surveys, verifying community water system billing records and interviewing community water system suppliers with regard to their currently planned future groundwater use.

(c) The following requirements shall be met within the area described in subsection (b):

(1) No groundwater derived from wells or springs is used for drinking water or agricultural purposes.

(2) All downgradient properties are connected to a community water system.

(3) The area described in subsection (b) does not intersect a radius of 1/2 mile from a community water supply well source or does not intersect an area designated by the Department as a zone 2 wellhead protection area under Chapter 109 (relating to safe drinking water).

(4) At the time the nonuse aquifer determination request under subsection (b) is submitted to the Department, there are no existing documents developed by political subdivisions or community water system suppliers detailing the implementation of groundwater resources development (that is, no currently planned future uses) in the area specified in subsection (b)(1)(ii).

(d) If the Department determines that groundwater is not used or currently planned to be used, the following requirements apply within the area identified in subsection (b):

(1) The requirements in § 250.309 (relating to MSCs for surface water).

(2) The ecological screening process identified in § 250.311 (relating to evaluation of ecological receptors).

(3) The remediator shall establish institutional controls to maintain the integrity of the nonuse aquifer determination, or include a postremediation care plan in the final report detailing the process of routinely assessing and reporting to the Department compliance with subsection (c).

(i) Postremediation care plan provisions shall be acknowledged within the deed to the remediated property upon transfer of ownership to insure compliance with subsection (c).

(ii) Postremediation assessment and reporting requirements shall continue until the property owner can demonstrate that the MSC for groundwater in aquifers used or currently planned for use is not exceeded at the point of compliance, and fate and transport analysis shows that the MSC will not be exceeded at that point in the future.

(e) The MSCs for groundwater in an aquifer that is not used or currently planned for use, under § 250.304(d) (relating to MSCs for groundwater), shall be met at the points of compliance identified in § 250.302 (relating to point of compliance)

(f) A nonuse aquifer areawide certification obtained under this subsection may be used by the remediator to demonstrate that the requirements of subsection (c) are met.

(1) With or without the presence of an associated NIR, the Department may determine, in writing, based on a demonstration by a municipal authority or political subdivision, that groundwater is not used or currently planned to be used in a specific geographic area, if the following conditions exist:

(i) The municipal authority or political subdivision demonstrates that the requirements of subsection (c) are met in the specific geographic area.

(ii) Municipal ordinances are in effect that prohibit the use of groundwater from wells or springs for drinking water or agricultural purposes.

(iii) Municipal ordinances are in effect that require all water users to connect to a community water supply system.

(2) If the municipal ordinances relied upon to make the demonstration in paragraph (1) are amended or repealed, the political subdivision or municipal authority who requested the areawide designation shall notify the Department in writing within 30 days of the effective date of the amendment or repeal.

**§ 250.304. MSCs for groundwater.**

(a) A person shall implement a remedy under the Statewide health standard that is protective of human health and the environment.

(b) The MSCs for regulated substances in groundwater are presented in Appendix A, Tables 1 and 2. The methodology used by the Department for calculating MSCs in groundwater is detailed in subsections (c)—(f).

(c) The MSCs for regulated substances contained in groundwater in aquifers used or currently planned to be used for drinking water or for agricultural purposes is the MCL as established by the Department or the EPA (U. S. EPA, 1996. Drinking Water Regulations and Health Advisories. Office of Water. EPA 822-R-96-001). For a regu-



lated substance where no MCL has been established, the MSC is the lifetime health advisory level (HAL) for that compound. For a regulated substance where neither an MCL nor a lifetime HAL is established, the MSC is the lowest concentration calculated using the appropriate residential and nonresidential exposure assumptions and the equations in §§ 250.306 and 250.307 (relating to ingestion numeric values; and inhalation numeric values).

(d) For regulated substances contained in aquifers not used or currently planned to be used, the MSCs in Appendix A, Tables 1 and 2 are calculated by the following:

(1) For volatile organic regulated substances with an attenuation factor of less than 20, as calculated by the methodology in paragraph (7), ten times the appropriate residential or nonresidential MSC for groundwater in aquifers used or currently planned to be used containing less than 2,500 mg/l total dissolved solids.

(2) For volatile organic regulated substances with an attenuation factor of greater than or equal to 20, as calculated by the methodology in paragraph (7), 100 times the appropriate residential or nonresidential MSC for groundwater in aquifers used or currently planned to be used containing less than 2,500 mg/l total dissolved solids.

(3) For semivolatile organic and inorganic regulated substances, regardless of the attenuation factor, 1,000 times the appropriate residential or nonresidential MSC for groundwater in aquifers used or currently planned to be used containing less than 2,500 mg/l total dissolved solids.

(4) For benzene, 100 times the appropriate residential or nonresidential MSC for groundwater in aquifers used or currently planned to be used containing less than 2,500 mg/l total dissolved solids.

(5) For regulated substances with no calculated attenuation factor because of a lack of data in Howard, P. H., R. S. Boethling, W. F. Jarais, W. M. Meylan and E. M. Michalenko. 1991. *Handbook of Environmental Degradation Rates*. Lewis Publishers, Inc., Chelsea, MI., the appropriate residential or nonresidential MSC for groundwater in aquifers used or currently planned to be used containing less than 2,500 mg/l total dissolved solids.

(6) For minimum threshold MSCs, 5 micrograms per liter in groundwater shall be used.

(7) The attenuation factor (AF) for an organic regulated substance shall be calculated according to the following formula:

$$AF = K \times KOC$$

Where:

$$K = \text{degradation coefficient} = \frac{0.693}{T_{1/2}}$$

T<sub>1/2</sub>—half-life of organic regulated substance in groundwater as reported in Howard, P. H., R. S. Boethling, W. F. Jarais, W. M. Meylan and E. M. Michalenko, 1991. *Handbook of Environmental Degradation Rates*. Lewis Publishers, Inc., Chelsea, MI.

KOC—organic carbon partitioning coefficient (See Appendix A Table 5).

(e) If the groundwater in aquifers used or currently planned for use at the site has naturally occurring background total dissolved solids concentrations greater than 2,500 milligrams per liter, the Statewide health standard for a regulated substance dissolved in the

groundwater may be adjusted by multiplying the MSC for groundwater in aquifers by 100. The adjusted Statewide health standard shall then be used in calculating the soil to groundwater pathway numeric value as specified in § 250.308 (relating to soil to groundwater pathway numeric values).

(f) In addition to the requirements in this section, the MSCs are further limited by solubility as identified in Appendix A, Table 5. The solubility limits are derived from the references in subsection (g), which are keyed to the numbers in Table 5. The following procedure was used to determine the appropriate solubility value for each regulated substance: where multiple sources are cited in Table 5, the value for the solubility limit is the median of the values in the indicated references.

(1) Using the hierarchy established in subsection (g), the first two references were consulted. If the solubility values agreed within 5%, the selected value is the lower of the two values.

(2) If the values in step (1) did not agree within 5%, the next references in order were consulted until two values that did agree within 5% were found. The selected value is then the median of all the values consulted.

(3) If none of the values in all of the references in subsection (g) agreed within 5%, the selected value is the median of all values in all references.

(g) The references referred to in subsection (f) are:

(1) Lide, D. R., ed. 1996. *CRC Handbook of Chemistry and Physics*, 77th Edition. CRC Press.

(2) Budavari, S., ed. 1996. *The Merck Index*, 12th Ed. Merck and Co.

(3) Perry, R. H., et al. 1997. *Perry's Chemical Engineer's Handbook*, 7th ed. McGraw-Hill, New York.

(4) Howard, P. H. 1991. *Handbook of Environmental Fate and Exposure Data for Organic Chemicals. Vol. III Pesticides*, Lewis Publishers.

(5) Verschueren, K. 1977. *Handbook of Environmental Data on Organic Chemicals*, Van Nostrand Reinhold.

(6) MacKay, D., et al. 1997. *Illustrated Handbook of Physical-Chemical Properties and Environmental Fate for Organic Chemicals*, 5 Volumes. Lewis Publishers, New York.

(7) Montgomery, J. H. 1991. *Groundwater Chemicals Desk Reference*, Vol. II. Lewis Publishers and Montgomery, J. H., and L. M. Welkom. 1990. *Groundwater Chemicals Desk Reference Vol I*, Louis Publishers.

(8) Milne, G.W.A., ed. 1995. *CRC Handbook of Pesticides*, CRC Press, Inc.

(9) National Library of Medicine (Grateful Med), *Hazardous Substances Databank*.

(10) EPA. 1994. *Superfund Chemical Data Matrix. Office of Solid Waste and Emergency Response*, EPA 540-R-94-009.

(11) Mabey, et al. 1982. *Aquatic Fate Process Data for Organic Priority Pollutants*, SRI. EPA Contract Nos. 68-01-3867, 68-03-2981.

### § 250.311. Evaluation of ecological receptors.

(a) In addition to any protection afforded under other requirements for meeting surface water and air quality standards and MSCs under this chapter, based on the screening process in this section, direct impacts from regulated substances to the following receptors shall be

assessed and addressed to implement a remedy that is protective of the environment:

(1) Individuals of threatened or endangered species as designated by the United States Fish and Wildlife Service under the Endangered Species Act (16 U.S.C.A. §§ 1531—1544).

(2) Exceptional value wetlands as defined in § 105.17 (relating to wetlands).

(3) Habitats of concern.

(4) Species of concern.

(b) For purposes of determining impacts on ecological receptors, no additional evaluation is required if the remediation attains a level equal to 1/10th of the value in Appendix A, Tables 3 and 4, except for constituents of potential ecological concern identified in Table 8, or if the criteria in paragraph (1), (2) or (3) are met. Information that supports a determination that no additional evaluation is required shall be documented in the final report.

(1) Jet fuel, gasoline, kerosene, number two fuel oil or diesel fuel are the only constituents detected onsite.

(2) The area of contaminated soil is less than 2 acres and the area of contaminated sediment is less than 1,000 square feet.

(3) The site has features, such as buildings, parking lots or graveled paved areas, which would obviously eliminate the specific exposure pathways, such as soils exposure.

(c) If none of the criteria in subsection (b) are met and if no Constituents of Potential Ecological Concern (CPECs) associated with the release being addressed as part of an NIR at the site, as identified in Appendix A, Table 8, are detected onsite, an onsite evaluation shall be conducted to document any indications of ecological impact. Ecological impacts requiring more detailed evaluation exist if there are differences of greater than 50% in the density or diversity of species or habitats of concern when compared with nearby reference areas representing equivalent ecological areas without contamination, if available. This evaluation shall also document the presence of threatened and endangered species and exceptional value wetlands. If no ecological impacts requiring further evaluation are identified, and no threatened and endangered species exist within a 2,500-foot radius of the site and no exceptional value wetlands exist on the site, no further evaluation is required and that determination shall be documented in the final report.

(d) If none of the criteria in subsection (b) are met and if CPECs associated with the release being addressed as part of an NIR at the site are detected onsite or ecological impacts requiring more detailed evaluation, threatened and endangered species, or exceptional value wetlands as identified in subsection (c) exist, a detailed onsite evaluation shall be conducted by a person qualified to perform environmental risk assessments to document any substantial ecological impacts. Substantial ecological impacts exist if there are differences of greater than 20% in the density of species of concern or greater than 50% in the diversity and extent of habitats of concern when compared with nearby reference areas representing equivalent ecological areas without contamination, if available. If there are no substantial ecological impacts identified and there are no threatened or endangered species on or within a 2,500-foot radius of the site and no exceptional value wetlands on the site, that determination shall be provided in the final report.

(e) If the person cannot demonstrate that they meet the criteria in subsection (b), and cannot demonstrate that the evaluation performed under subsection (c) identified no ecological impacts requiring more detailed evaluation under subsection (d), or cannot demonstrate that the evaluation performed under subsection (d) identified no substantial ecological impacts, or threatened or endangered species or exceptional value wetlands, one of the following shall be met:

(1) A person shall demonstrate in the final report that attainment of the Statewide health standard MSCs are protective of the ecological receptors.

(2) If a demonstration cannot be made that the Statewide health standard MSCs are protective of ecological receptors, a person shall demonstrate in the final report that postremedy use will eliminate complete exposure pathways at the time of the final report or in accordance with a postremediation care plan, or that mitigative measures identified in subsection (f) have been instituted and are subject to postremediation care plan requirements as described in § 250.312(b) (relating to final report).

(3) A person shall demonstrate attainment of the background standard.

(4) A person shall follow the procedures in §§ 250.402(c) and 250.409 (relating to human health and environmental protection goals; and risk assessment report) and demonstrate attainment of the site-specific standard for protection of ecological receptors.

(f) Mitigation measures to restore or replace equivalent ecological resources in the local area of the site may be applied if the following are met:

(1) No exceptional value wetlands have been identified by the screening process.

(2) No Federal or State laws and regulations prohibit or restrict the elimination of habitats or species identified by the screening process.

(3) A mitigation measure is selected based on the following hierarchy:

(i) Restoration onsite of species and habitats identified in the screening process.

(ii) Replacement onsite of species and habitats identified in the screening process.

(iii) Replacement on an adjacent area to the site of species and habitats identified in the screening process.

(iv) Replacement at a location within the municipality where the site is located of species and habitats identified in the screening process.

(4) The Department will review and approve mitigation measures prior to implementation to ensure that the proposed remedy and intended use of the property minimize the impacts to ecological receptors identified in the screening procedure.

(5) The postremediation care plan requirements in § 250.312(e) or § 250.411(f) (relating to final report) are implemented.

**Subchapter G. DEMONSTRATION OF ATTAINMENT**

**§ 250.703. General attainment requirements for soil.**

(a) For any standard selected, the attainment demonstration for the soil media shall be made at the point of

compliance as defined in Subchapters B—D (relating to background standards; Statewide health standards; and site-specific standards)

(b) The soil to which the attainment criteria are applied shall be determined by circumscribing with an irregular surface those concentrations detected during characterization which exceed the selected standard. Where this soil is to be removed from the site, the attainment demonstration applies to the base of the excavation defined by the limit of excavation.

(c) Sampling points for demonstration of attainment of soils shall be selected to be random and representative both horizontally and vertically based on a systematic random sampling as set forth in a Department approved reference. If exceedances of a standard occur in a localized area, the Department may require additional characterization and remediation if three or more adjacent samples exceed the standard by more than ten times.

(d) For statistical methods under § 250.707(b)(1)(i) (relating to statistical tests), the number of sample points required for each distinct area of contamination to demonstrate attainment shall be determined in the following way:

(1) For soil volumes equal to or less than 125 cubic yards, at least eight samples.

(2) For soil volumes up to 3,000 cubic yards, at least 12 sample points.

(3) For each additional soil volume of up to 3,000 cubic yards, an additional 12 sample points.

(4) Additional sampling points may be required based on site-specific conditions.

(e) For statistical methods under § 250.707(b)(1)(ii) and (c), the minimum number of samples required for demonstrating attainment shall be as specified by the documentation of the chosen method.

#### § 250.707. Statistical tests.

(a) For regulated substances which are naturally occurring, the person shall compare the analytical results of background reference samples, that are representative of naturally occurring concentrations of regulated substances on the site, with the analytical results of the medium of concern onsite. For nonnaturally occurring regulated substances for which a known background condition exists, the person shall compare the analytical results of background reference samples, which are related to the migration of contaminants onto the site, with the analytical results of the medium of concern onsite. In addition, application of statistical tests for the background standard shall be as follows:

(1) Soil. For soil, a person shall use one of the following statistical methods in subparagraphs (i)—(iii) and conditions relating to subparagraphs (i)—(iii) as described in subparagraphs (iv)—(vi) to demonstrate attainment of the background standard:

(i) The person shall demonstrate that the highest measurement from the area of concern is not greater than the highest measurement from the background area. The Department may accept insignificant variances in numbers. The minimum number of samples to be collected is ten from the background reference population and ten from each distinct area of contamination.

(ii) The Department may accept the use of a combination of the Wilcoxon rank-sum test (equivalent to the Mann-Whitney U test) and the quantile test for data from

two populations. The application of these tests shall meet the criteria in subparagraphs (iv) and (vi).

(iii) The Department may accept other appropriate statistical methods that meet the requirements of subparagraphs (iv)—(vi).

(iv) For nonparametric and parametric methods under subparagraphs (ii) and (iii), the false-positive rate for a set of data applied to a statistical test may not be greater than 0.20. The minimum number of samples to be collected is ten from the background population and ten from each distinct area of contamination.

(v) For parametric methods under subparagraph (iii), the censoring level for each nondetect (ND) shall be the assigned value randomly generated that is between zero and the limit related to the PQL.

(vi) For nonparametric and parametric methods under subparagraphs (ii) and (iii), the application of a statistical method shall meet the criteria in subsection (d).

(2) Groundwater for known upgradient release of a regulated substance.

(i) The Department may accept the use of the nonparametric tolerance intervals that are applied in accordance with the procedures in subparagraphs (ii)—(vi) and (viii)—(x).

(ii) The upgradient concentration shall be determined by sampling in a background reference well shown on the basis of characterization to exhibit the highest concentration and by demonstrating that the groundwater is representative of concentrations in groundwater that are migrating onto the site.

(iii) The background reference well shall be sampled over a period of eight quarters to provide eight samples.

(iv) From these eight samples, the highest concentration for each regulated substance shall be selected as the upper tolerance limit.

(v) In each onsite well, eight samples shall also be collected during the same eight-quarter period.

(vi) The upper tolerance limit shall be met in each onsite well. The maximum of data collected from each onsite well shall be at or below the upper tolerance limit.

(vii) In lieu of subparagraphs (iv)—(vi), the Department may accept a retesting strategy using nonparametric prediction limit in accordance with current EPA guidance (EPA, Office of Solid Waste Management Division. "Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities;" Addendum to Interim Final Guidance, EPA, Washington, D. C. June 1992). For each regulated substance, the highest concentration of the eight background reference samples shall be selected as the upper prediction limit, as determined by the most current EPA guidance.

(viii) The application of a statistical method for groundwater background standard shall meet the criteria in subsection (d).

(ix) For parametric methods, the censoring level for each nondetect (ND) shall be the assigned value randomly generated that is between zero and the limit related to the PQL.

(x) In lieu of eight-quarter sampling in subparagraphs (iii) and (v), the Department may allow the eight samples to be taken during a period of four quarters, or less with written approval from the Department if the following criteria can be met:

(A) There is adequate spatial monitoring of the plume upgradient of the property on which the release occurred which indicates a stable plume condition.

(B) Parameters affecting the fate and transport of regulated substances within the plume have been fully evaluated.

(C) Coefficient of variation for the eight samples collected over a 4-quarter period may not exceed 1.0 for metals and 2.0 for organic compounds.

(D) The age of the plume is sufficiently well known to permit a judgment to be made regarding its stability and remediation of the source associated with the upgradient contamination is not currently or has not recently occurred.

(3) Background groundwater conditions due to naturally occurring or areawide contamination.

(i) To use this subparagraph for areawide contamination, the person performing remediation shall demonstrate to the Department, in writing, that the site conditions are due to areawide contamination and shall obtain the Department's approval to use this subsection.

(ii) A minimum of 12 samples shall be collected from any combination of monitoring wells, including upgradient locations, if all data collected is used in determination of background concentrations.

(iii) The same number of samples shall be collected within and representative of the area of groundwater contamination (plume) onsite as were collected in the upgradient sampling for each sampling event.

(iv) The samples from the upgradient wells and the wells in the plume onsite shall be collected during the same sampling event.

(v) Sampling may be accelerated so that all sampling events occur in as short a period of time as possible so as not to result in serial correlation in the data.

(vi) The resulting values may be used with appropriate nonparametric or parametric methods to compare the two populations.

(vii) The sampling results in the plume onsite may not exceed the sum of the background arithmetic average and three times the standard deviation calculated for the background area.

(viii) The application of a statistical method for groundwater background standard shall meet the criteria in subsection (d).

(ix) For parametric methods, the censoring level for each nondetect (ND) shall be the assigned value randomly generated that is between zero and the limit related to the PQL.

(b) The following statistical tests may be accepted by the Department to demonstrate attainment of the Statewide health standard. The statistical test for soil shall apply to each distinct area of contamination. The statistical test for groundwater will apply to each compliance monitoring well. Testing shall be performed individually for each regulated substance identified in the final report site investigation as being present at the site for which a person wants relief from liability under the act. The application of a statistical method shall meet the criteria in subsection (d).

(1) For soil attainment determination at each distinct area of contamination, subparagraph (i), (ii) or (iii) shall be met in addition to the attainment requirements in

§§ 250.702 and 250.703 (relating to attainment requirements; and general attainment requirements for soil).

(i) Seventy-five percent of all samples, which shall be randomly collected in a single event from the site, shall be equal to or less than the Statewide health standard or the limit related to PQLs with no individual sample exceeding ten times the Statewide health standard.

(ii) As applied in accordance with EPA approved methods on statistical analysis of environmental data, as identified in subsection (e), the 95% UCL of the arithmetic mean shall be at or below the Statewide health standard.

(iii) For sites with a petroleum release where full site characterization, as defined in § 250.204(b) (relating to final report), has not been done in association with an excavation remediation, attainment of the Statewide health standard shall be demonstrated using the following procedure:

(A) For sites regulated under Chapter 245 (relating to administration of the storage tank and spill prevention program) where there is localized contamination as defined in the document "Closure Requirements for Underground Storage Tank Systems" (DEP technical document 2530-BK-DEP2008), samples shall be taken in accordance with that document.

(B) For sites not covered by clause (A), including all sites being remediated under an NIR under this chapter, samples shall be taken from the bottom and sidewalls of the excavation in a biased fashion that concentrates on areas where any remaining contamination above the Statewide health standard would most likely be found. The samples shall be taken from these suspect areas based on visual observation and the use of field instruments. If a sufficient number of samples has been collected from all suspect locations and the minimum number of samples has not been collected, or if there are no suspect areas, the locations to meet the minimum number of samples shall be based on a random procedure. The number of sample points required shall be determined in the following way:

(I) For 250 cubic yards or less of excavated contaminated soil, five samples shall be collected.

(II) For each additional 100 cubic yards of excavated contaminated soil, one sample shall be collected.

(III) For excavations involving more than 1,000 cubic yards of contaminated soil, the remediator shall identify the number and locations of samples in a confirmatory sampling plan submitted to the Department. The remediator shall obtain the Department's approval of the confirmatory sampling plan prior to conducting attainment sampling.

(IV) Where water is encountered in the excavation and obvious contamination is observed or indicated, soil samples collected just above the soil/water interface shall be equal to or less than the applicable Statewide health MSC determined by § 250.308(a)(2)(ii) (relating to soil to groundwater pathway numeric values).

(V) Where water is encountered in the excavation and no obvious contamination is observed or indicated, a minimum of two samples shall be collected from the water surface in the excavation.

(C) All sample results shall be equal to or less than the applicable Statewide health MSC as determined using Tables 1—4 and 6 in Appendix A.

(iv) For sites where there is a release to surface soils resulting in excavation of 50 cubic yards or less of contaminated soil, samples shall be collected as described in subparagraph (iii)(B), except that two samples shall be collected.

(2) For groundwater attainment determination at each compliance monitoring well, subparagraph (i) or (ii) shall be met in addition to the attainment requirements in § 250.702 and § 250.704 (relating to general attainment requirements for groundwater).

(i) Seventy-five percent of all samples collected within each monitoring well over time shall be equal to or less than the Statewide health standard or the limit related to PQLs with no individual sample exceeding both of the following:

(A) Ten times the Statewide health standard on the property.

(B) Two times the Statewide health standard beyond the property boundary.

(ii) As applied in accordance with EPA approved methods on statistical analysis of environmental data, as identified in subsection (e), the 95% UCL level of the arithmetic mean shall be at or below the Statewide health standard.

(3) In addition to the statistical tests identified in paragraphs (1) and (2), a person may use a statistical test that meets the requirements of subsection (d) to demonstrate attainment.

(c) To demonstrate attainment of the site-specific standard, a person may use a statistical test identified in subsection (b)(1)(ii) and (2)(ii) where the 95% UCL of the arithmetic mean is below the site-specific standard or a statistical test that meets the requirements of subsection (d). The attainment test and the methodology used in the risk assessment to evaluate exposure concentrations shall be the same.

(d) Except for the statistical methods identified in subsections (a)(1)(i) and (b)(1)(i) and (2)(i), a demonstration of attainment of one or a combination of remediation standards shall comply with the following:

(1) When statistical methods are to be used for demonstration of attainment of Statewide health or site-specific standards, the null hypotheses ( $H_0$ ) shall be that the true site arithmetic average concentration is at or above the cleanup standard, and the alternative hypothesis ( $H_a$ ) shall be that the true site arithmetic average concentration is below the cleanup standard. When statistical methods are to be used to determine that the background standard is exceeded, the null hypothesis ( $H_0$ ) shall be that the background standard is achieved and the alternative hypothesis ( $H_a$ ) shall be that the background standard is not achieved.

(2) A statistical method chosen shall comply with the following performance standards:

(i) The underlying assumptions of the statistical method shall be met, such as data distribution.

(ii) The statistical method shall be recommended for this use in Department-approved guidance or regulation and shall be generally recognized as appropriate for the particular remediation implemented at the site.

(iii) Compositing cannot be used with nonparametric methods or for volatile organic compounds.

(iv) For parametric methods, the censoring level for each nondetect shall be the assigned value randomly

generated that is between zero and the limit related to the PQL.

(v) Tests shall account for seasonal and spatial variability as well as temporal correlation of data, unless otherwise approved by the Department.

(vi) Tests used to determine that the background standard is exceeded shall maintain adequate power to detect contamination in accordance with current EPA guidances, regulations or protocols.

(vii) For the limits relating to the PQLs, Statewide health and site-specific standards, the false-positive rate for a statistical test may not be greater than 0.20 for nonresidential and 0.05 for residential.

(viii) Statistical testing shall be done individually for each regulated substance present at the site.

(3) The following information shall be documented in a final report when a statistical method is applied:

(i) A description of the statistical method.

(ii) A clear statement of the applicable decision rule in the form of statistical hypotheses for each spatial unit and temporal boundary including the applicable statistical parameter of interest and the specific cleanup standard.

(iii) A description of the underlying assumptions of the method.

(iv) Documentation showing that the sample data set meets the underlying assumptions of the method and demonstrating that the method is appropriate to apply to the data.

(v) Specification of false positive rates and, in addition for the background standard, specification of false negative rates.

(vi) Documentation of input and output data for the statistical test, presented in tables or figures, or both, as appropriate.

(vii) An interpretation and conclusion of the statistical test.

(e) The references identified in subsection (b)(1)(ii) and (2)(ii) are as follows:

(1) EPA, Office of Policy, Planning and Evaluation, *Methods for Evaluating the Attainment of Cleanup Standards*, Volume 1: Soils and Solid Media, EPA 230/02-89-042, Washington, D. C. 1989.

(2) EPA, Office of Solid Waste Management Division, *Test Methods for Evaluating Solid Waste*, SW-846 Volume II: Field Methods, EPA, November 1985, Third Edition.

(3) EPA, Office of Solid Waste Management Division, *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities*, Interim Final Guidance, EPA, Washington, D.C., April, 1989.

(4) EPA, Office of Solid Waste Management Division, *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities*, Addendum to Interim Final Guidance, EPA, Washington, D.C., June, 1992.

(5) 40 CFR 264 and 265 (relating to standards for owners and operators of hazardous waste treatment, storage, and disposal facilities; and interim status standards for owners and operators of hazardous waste treatment, storage, and disposal facilities).

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
ACENAPHTHENE	83-32-9	2,200 G	3,800 S	3,800 S	3,800 S	3,800 S	3,800 S
ACENAPHTHYLENE	208-96-8	2,200 G	6,100 G	16,000 S	16,000 S	16,000 S	16,000 S
ACEPHATE	30560-19-1	76 G	300 G	7,600 G	30,000 G	76 G	300 G
ACETALDEHYDE	75-07-0	19 N	52 N	1,900 N	5,200 N	19 N	52 N
ACETONE	67-64-1	3,700 G	10,000 G	370,000 G	1,000,000 G	37,000 G	100,000 G
ACETONITRILE	75-05-8	170 N	350 N	17,000 N	35,000 N	1,700 N	3,500 N
ACETOPHENONE	98-86-2	3,700 G	10,000 G	370,000 G	1,000,000 G	3,700 G	10,000 G
ACETYLAMINOFLUORENE, 2- (2AAF)	53-96-3	0.17 G	0.68 G	17 G	68 G	170 G	680 G
ACROLEIN	107-02-8	0.055 N	0.12 N	5.5 N	12 N	0.55 N	1.2 N
ACRYLAMIDE	79-06-1	0.033 N	0.14 N	3.3 N	14 N	0.033 N	0.14 N
ACRYLIC ACID	79-10-7	2.8 N	5.8 N	280 N	580 N	280 N	580 N
ACRYLONITRILE	107-13-1	0.63 N	2.7 N	63 N	270 N	63 N	270 N
ALACHLOR	15972-60-8	2 M	2 M	200 M	200 M	2 M	2 M
ALDICARB	116-06-3	7 M	7 M	700 M	700 M	7,000 M	7,000 M
ALDRIN	309-00-2	0.0087 N	0.037 N	0.87 N	3.7 N	0.87 N	3.7 N
ALLYL ALCOHOL	107-18-6	49 N	100 N	4,900 N	10,000 N	4,900 N	10,000 N
AMINOBIIPHENYL, 4-	92-67-1	0.031 G	0.12 G	3.1 G	12 G	31 G	120 G
AMITROLE	61-82-5	0.7 G	2.8 G	70 G	280 G	700 G	2,800 G
AMMONIA	7664-41-7	30,000 H	30,000 H	3,000,000 H	3,000,000 H	30,000 H	30,000 H
AMMONIUM SULFAMATE	7773-06-0	2,000 H	2,000 H	200,000 H	200,000 H	2,000 H	2,000 H
ANILINE	62-53-3	2.8 N	5.8 N	280 N	580 N	2.8 N	5.8 N
ANTHRACENE	120-12-7	66 S	66 S	66 S	66 S	66 S	66 S
ATRAZINE	1912-24-9	3 M	3 M	300 M	300 M	3 M	3 M
BAYGON (PROPOXUR)	114-26-1	3 H	3 H	300 H	300 H	3,000 H	3,000 H
BENOMYL	17804-35-2	1,800 G	2,000 S	2,000 S	2,000 S	1,800 G	2,000 S
BENTAZON	25057-89-0	1,100 G	3,100 G	110,000 G	310,000 G	1,100 G	3,100 G
BENZENE	71-43-2	5 M	5 M	500 M	500 M	500 M	500 M
BENZIDINE	92-87-5	0.0029 G	0.011 G	0.29 G	1.1 G	2.9 G	11 G
BENZO(A)ANTHRACENE	56-55-3	0.9 G	3.6 G	11 S	11 S	11 S	11 S
BENZO(A)PYRENE	50-32-8	0.2 M	0.2 M	3.8 S	3.8 S	3.8 S	3.8 S
BENZO(B)FLUORANTHENE	205-99-2	0.9 G	1.2 S	1.2 S	1.2 S	1.2 S	1.2 S
BENZO(GHI)PERYLENE	191-24-2	0.26 S	0.26 S	0.26 S	0.26 S	0.26 S	0.26 S
BENZO(K)FLUORANTHENE	207-08-9	0.55 S	0.55 S	0.55 S	0.55 S	0.55 S	0.55 S
BENZOIC ACID	65-85-0	150,000 G	410,000 G	2,700,000 S	2,700,000 S	150,000 G	410,000 G

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
BENZOTRICHLORIDE	98-07-7	0.051 G	0.2 G	5.1 G	20 G	51 G	200 G
BENZYL ALCOHOL	100-51-6	11,000 G	31,000 G	1,100,000 G	3,100,000 G	11,000 G	31,000 G
BENZYL CHLORIDE	100-44-7	0.87 N	3.7 N	87 N	370 N	87 N	370 N
BHC, ALPHA-	319-84-6	0.1 G	0.41 G	10 G	41 G	100 G	410 G
BHC, BETA-	319-85-7	0.37 G	1.4 G	37 G	100 S	100 S	100 S
BHC, DELTA-	319-86-8	22 G	61 G	2,200 G	6,100 G	8,000 S	8,000 S
BHC, GAMMA (LINDANE)	58-89-9	0.2 M	0.2 M	20 M	20 M	200 M	200 M
BIPHENYL, 1,1-	92-52-4	1,800 G	5,100 G	7,200 S	7,200 S	7,200 S	7,200 S
BIS(2-CHLOROETHYL)ETHER	111-44-4	0.13 N	0.55 N	13 N	55 N	13 N	55 N
BIS(2-CHLORO-ISOPROPYL)ETHER	108-60-1	300 H	300 H	30,000 H	30,000 H	30,000 H	30,000 H
BIS(CHLOROMETHYL)ETHER	542-88-1	0.00069 N	0.0029 N	0.069 N	0.29 N	0.069 N	0.29 N
BIS(2-ETHYLHEXYL) PHTHALATE	117-81-7	6 M	6 M	290 S	290 S	290 S	290 S
BISPHENOL A	80-05-7	1,800 G	5,100 G	120,000 S	120,000 S	120,000 S	120,000 S
BROMACIL	314-40-9	80 H	80 H	8,000 H	8,000 H	80 H	80 H
BROMOCHLOROMETHANE	74-97-5	90 H	90 H	9,000 H	9,000 H	90 H	90 H
BROMODICHLOROMETHANE	75-27-4	100 M	100 M	10,000 M	1,000 M	100 M	100 M
BROMOMETHANE	74-83-9	10 H	10 H	1,000 H	1,000 H	1,000 H	1,000 H
BROMOXYNIL	1689-84-5	730 G	2,000 G	73,000 G	130,000 S	730 G	2,000 G
BROMOXYNIL OCTANOATE	1689-99-2	80 S	80 S	80 S	80 S	80 S	80 S
BUTADIENE, 1,3-	106-99-0	0.15 N	0.65 N	15 N	65 N	15 N	65 N
BUTYL ALCOHOL, N-	71-36-3	970 N	2,000 N	97,000 N	200,000 N	9,700 N	20,000 N
BUTYLATE	2008-41-5	350 H	350 H	35,000 H	35,000 H	350 H	350 H
BUTYLBENZENE, N-	104-51-8	1,500 G	4,100 G	15,000 S	15,000 S	1,500 G	4,100 G
BUTYLBENZENE, SEC-	135-98-8	1,500 G	4,100 G	17,000 S	17,000 S	1,500 G	4,100 G
BUTYLBENZENE, TERT-	98-06-6	1,500 G	4,100 G	30,000 S	30,000 S	1,500 G	4,100 G
BUTYLBENZYL PHTHALATE	85-68-7	2,700 S	2,700 S	2,700 S	2,700 S	2,700 S	2,700 S
CAPTAN	13-36-2	190 G	500 S	500 S	500 S	500 S	500 S
CARBARYL	63-25-2	700 H	700 H	70,000 H	70,000 H	120,000 S	120,000 S
CARBAZOLE	86-74-8	33 G	130 G	1,200 S	1,200 S	1,200 S	1,200 S
CARBOFURAN	1563-66-2	40 M	40 M	4,000 M	4,000 M	40 M	40 M
CARBON DISULFIDE	75-15-0	1,900 N	4,100 N	190,000 N	410,000 N	1,900 N	4,100 N
CARBON TETRACHLORIDE	56-23-5	5 M	5 M	500 M	500 M	50 M	50 M
CARBOXIN	5234-68-4	700 H	700 H	70,000 H	70,000 H	700 H	700 H
CHLORAMBEN	133-90-4	100 H	100 H	10,000 H	10,000 H	100 H	100 H

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
CHLORDANE	57-74-9	2 M	2 M	56 S	56 S	56 S	56 S
CHLORO-1,1-DIFLUOROETHANE, 1-	75-68-3	140,000 N	290,000 N	1,400,000 S	1,400,000 S	140,000 N	290,000 N
CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	107-05-1	2.8 N	5.8 N	280 N	580 N	280 N	580 N
CHLOROACETOPHENONE, 2-	532-27-4	0.31 G	0.88 G	31 G	88 G	310 G	880 G
CHLOROANILINE, P-	106-47-8	150 G	410 G	15,000 G	41,000 G	150 G	410 G
CHLOROBENZENE	108-90-7	100 M	100 M	10,000 M	10,000 M	10,000 M	10,000 M
CHLOROBENZILATE	510-15-6	2.4 G	9.6 G	240 G	960 G	2,400 G	9,600 G
CHLOROBUTANE, 1-	109-69-3	15,000 G	41,000 G	680,000 S	680,000 S	15,000 G	41,000 G
CHLORODIBROMOMETHANE	124-48-1	100 M	100 M	10000 M	10000 M	10000 M	10000 M
CHLORODIFLUOROMETHANE	75-45-6	100 H	100 H	10,000 H	10,000 H	100 H	100 H
CHLOROETHANE	75-00-3	230 G	900 G	23,000 G	90,000 G	23,000 G	90,000 G
CHLOROFORM	67-66-3	100 M	100 M	10,000 M	10,000 M	1,000 M	1,000 M
CHLORONAPHTHALENE, 2-	91-58-7	2,900 G	8,200 G	12,000 S	12,000 S	2,900 G	8,200 G
CHLORONITROBENZENE, P-	100-00-5	37 G	140 G	3,700 G	14,000 G	37 G	140 G
CHLOROPHENOL, 2-	95-57-8	40 H	40 H	4,000 H	4,000 H	40 H	40 H
CHLOROPRENE	126-99-8	19 N	41 N	1,900 N	4,100 N	1,900 N	4,100 N
CHLOROPROPANE, 2-	75-29-6	280 N	580 N	28,000 N	58,000 N	280 N	580 N
CHLOROTHALONIL	1897-45-6	60 G	240 G	600 S	600 S	60 G	240 G
CHLOROTOLUENE, O-	95-49-8	100 H	100 H	10,000 H	10,000 H	100 H	100 H
CHLORPYRIFOS	2921-88-2	20 H	20 H	1,100 S	1100 S	20 H	20 H
CHLORSULFURON	64902-72-3	1,800 G	5,100 G	130,000 S	130,000 S	1,800 G	5,100 G
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	400 H	400 H	500 S	500 S	500 S	500 S
CHRYSENE	218-01-9	1.9 S	1.9 S	1.9 S	1.9 S	1.9 S	1.9 S
CRESOL	1319-77-3	180 G	510 G	18,000 G	51,000 G	18,000 G	51,000 G
CRESOL, O- (METHYLPHENOL, 2-)	95-48-7	1,800 G	5,100 G	180,000 G	510,000 G	180,000 G	510,000 G
CRESOL, M (METHYLPHENOL, 3-)	108-39-4	1,800 G	5,100 G	180,000 G	510,000 G	1,800,000 G	2,500,000 S
CRESOL, P (METHYLPHENOL, 4-)	106-44-5	180 G	510 G	18,000 G	51,000 G	180,000 G	510,000 G
CRESOL, P-CHLORO-M-	59-50-7	180 G	510 G	18,000 G	51,000 G	180 G	510 G
CROTONALDEHYDE	4170-30-3	0.079 N	0.34 N	7.9 N	34 N	7.9 N	34 N
CROTONALDEHYDE, TRANS-	123-73-9	0.079 G	0.34 G	7.9 G	34 G	7.9 G	34 G
CUMENE	98-82-8	1,100 N	2,300 N	50,000 S	50,000 S	50,000 S	50,000 S
CYCLOHEXANONE	108-94-1	49,000 N	100,000 N	4,900,000 N	10,000,000 N	49,000 N	100,000 N
CYFLUTHRIN	68359-37-5	1 S	1 S	1 S	1 S	1 S	1 S
CYROMAZINE	66215-27-8	270 G	770 G	27,000 G	77,000 G	270 G	770 G



**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
DDD, 4,4'-	72-54-8	0.62 N	2.7 N	62 N	160 S	62 N	160 S
DDE, 4,4'-	72-55-9	1.9 G	7.6 G	40 S	40 S	40 S	40 S
DDT, 4,4'-	50-29-3	1.9 G	5.5 S	5.5 S	5.5 S	5.5 S	5.5 S
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	400 M	400 M	40,000 M	40,000 M	200,000 S	200,000 S
DIALLATE	2303-16-4	2.5 N	10 N	250 N	1,000 N	250 N	1,000 N
DIAMINOTOLUENE, 2,4-	95-80-7	0.21 G	0.81 G	21 G	81 G	210 G	810 G
DIAZINON	333-41-5	0.6 H	0.6 H	60 H	60 H	0.6 H	0.6 H
DIBENZO(A,H)ANTHRACENE	53-70-3	0.09 G	0.36 G	0.6 S	0.6 S	0.6 S	0.6 S
DIBROMO-3-CHLOROPROPANE, 1,2-	96-12-8	0.2 M	0.2 M	20 M	20 M	20 M	20 M
DIBROMOBENZENE, 1,4-	106-37-6	370 G	1,000 G	20,000 S	20,000 S	370 G	1,000 G
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.05 M	0.05 M	5 M	5 M	5 M	5 M
DIBROMOMETHANE	74-95-3	97 N	200 N	9,700 N	20,000 N	9,700 N	20,000 N
DIBUTYL PHTHALATE, N-	84-74-2	3,700 G	10,000 G	370,000 G	400,000 S	400,000 S	400,000 S
DICHLORO-2-BUTENE, 1,4-	764-41-0	0.016 N	0.069 N	1.6 N	6.9 N	0.016 N	0.069 N
DICHLOROBENZENE, 1,2-	95-50-1	600 M	600 M	60,000 M	60,000 M	60,000 M	60,000 M
DICHLOROBENZENE, 1,3-	541-73-1	600 H	600 H	60,000 H	60,000 H	60,000 H	6,000 H
DICHLOROBENZENE, P-	106-46-7	75 M	75 M	7,500 M	7,500 M	7,500 M	7,500 M
DICHLOROBENZIDINE, 3,3'-	91-94-1	1.5 G	5.8 G	150 G	580 G	1,500 G	3,100 S
DICHLORODIFLUOROMETHANE (FREON 12)	75-71-8	1,000 H	1,000 H	100,000 H	100,000 H	100,000 H	100,000 H
DICHLOROETHANE, 1,1-	75-34-3	27 N	110 N	2700 N	11,000 N	270 N	1,100 N
DICHLOROETHANE, 1,2-	107-06-2	5 M	5 M	500 M	500 M	50 M	50 M
DICHLOROETHYLENE, 1,1-	75-35-4	7 M	7 M	700 M	700 M	70 M	70 M
DICHLOROETHYLENE, CIS-1,2-	156-59-2	70 M	70 M	7,000 M	7,000 M	700 M	700 M
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	100 M	100 M	10,000 M	10,000 M	1,000 M	1,000 M
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	5 M	5 M	500 M	500 M	500 M	500 M
DICHLOROPHENOL, 2,4-	120-83-2	20 H	20 H	2,000 H	2,000 H	20,000 H	20,000 H
DICHLOROPHENOXYACETIC ACID, 2,4- (2,4-D)	94-75-7	70 M	70 M	7,000 M	7,000 M	7,000 M	7,000 M
DICHLOROPROPANE, 1,2-	78-87-5	5 M	5 M	500 M	500 M	50 M	50 M
DICHLOROPROPENE, 1,3-	542-75-6	6.6 G	26 G	660 G	2,600 G	660 G	2,600 G
DICHLOROPROPIONIC ACID, 2,2- (DALAPON)	75-99-0	200 M	200 M	20,000 M	20,000 M	20,000 M	20,000 M
DICHLORVOS	62-73-7	0.52 N	2.2 N	52 N	220 N	0.52 N	2.2 N
DICYCLOPENTADIENE	77-73-6	0.55 N	1.2 N	55 N	120 N	0.55 N	1.2 N

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
DIELDRIN	60-57-1	0.041 G	0.16 G	4.1 G	16 G	41 G	160 G
DIETHYL PHTHALATE	84-66-2	5,000 H	5,000 H	500,000 H	500,000 H	1,100,000 S	1,100,000 S
DIFLUBENZURON	35367-38-5	200 S	200 S	200 S	200 S	200 S	200 S
DIMETHOATE	60-51-5	7.3 G	20 G	730 G	2,000 G	7,300 G	20,000 G
DIMETHOXYBENZIDINE, 3,3-	119-90-4	47 G	190 G	4,700 G	19,000 G	47,000 G	60,000 S
DIMETHYLAMINOAZOBENZENE, P-	60-11-7	0.14 G	0.57 G	14 G	57 G	140 G	570 G
DIMETHYLANILINE, N,N-	121-69-7	73 G	200 G	7,300 G	20,000 G	7,300 G	20,000 G
DIMETHYLBENZIDINE, 3,3-	119-93-7	0.072 G	0.28 G	7.2 G	28 G	72 G	280 G
DIMETHYLPHENOL, 2,4-	105-67-9	730 G	2,000 G	73,000 G	200,000 G	730,000 G	2,000,000 G
DINITROBENZENE, 1,3-	99-65-0	1 H	1 H	100 H	100 H	1,000 H	1,000 H
DINITROPHENOL, 2,4-	51-28-5	19 N	41 N	1,900 N	4,100 N	190 N	410 N
DINITROTOLUENE, 2,4-	121-14-2	2.1 G	8.4 G	210 G	840 G	2,100 G	8,400 G
DINITROTOLUENE, 2,6- (2,6-DNT)	606-20-2	37 G	100 G	3,700 G	10,000 G	37,000 G	100,000 G
DINOSEB	88-85-7	7 M	7 M	700 M	700 M	700 M	700 M
DIOXANE, 1,4-	123-91-1	5.6 N	24 N	560 N	2,400 N	56 N	240 N
DIPHENAMID	957-51-7	200 H	200 H	20,000 H	20,000 H	200 H	200 H
DIPHENYLAMINE	122-39-4	200 H	200 H	20,000 H	20,000 H	200,000 H	200,000 H
DIPHENYLHYDRAZINE, 1,2-	122-66-7	0.83 G	3.3 G	83 G	250 S	250 S	250 S
DIQUAT	85-00-7	20 M	20 M	2,000 M	2,000 M	20 M	20 M
DISULFOTON	298-04-4	0.3 H	0.3 H	30 H	30 H	30 H	30 H
DIURON	330-54-1	10 H	10 H	1,000 H	1,000 H	10 H	10 H
ENDOSULFAN	115-29-7	58 N	120 N	480 S	480 S	480 S	480 S
ENDOSULFAN I (ALPHA)	959-98-8	220 G	500 S	500 S	500 S	220 G	500 S
ENDOSULFAN II (BETA)	33213-65-9	220 G	450 S	450 S	450 S	220 G	450 S
ENDOSULFAN SULFATE	1031-07-8	120 S	120 S	120 S	120 S	120 S	120 S
ENDOTHALL	145-73-3	100 M	100 M	10,000 M	10,000 M	100 M	100 M
ENDRIN	72-20-8	2 M	2 M	200 M	200 M	2 M	2 M
EPICHLOROHYDRIN	106-89-8	2.8 N	5.8 N	280 N	580 N	280 N	580 N
ETHEPHON	16672-87-0	180 G	510 G	18,000 G	51,000 G	180 G	510 G
ETHION	563-12-2	18 G	51 G	850 S	850 S	18 G	51 G
ETHOXYETHANOL, 2- (EGEE)	110-80-5	550 N	1,200 N	55,000 N	120,000 N	55,000 N	120,000 N
ETHYL ACETATE	141-78-6	8,700 N	18,000 N	870,000 N	1,800,000 N	870,000 N	1,800,000 N
ETHYL ACRYLATE	140-88-5	3.1 N	13 N	310 N	1,300 N	310 N	1,300 N
ETHYL BENZENE	100-41-4	700 M	700 M	70,000 M	70,000 M	70,000 M	70,000 M

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
ETHYL DIPROPYLTHIOCARBAMATE, S-(EPTC)	759-94-4	910 G	2,600 G	91,000 G	260,000 G	910 G	2,600 G
ETHYL ETHER	60-29-7	1,900 N	4,100 N	190,000 N	410,000 N	1,900 N	4,100 N
ETHYL METHACRYLATE	97-63-2	870 N	1,800 N	87,000 N	180,000 N	870 N	1,800 N
ETHYLENE GLYCOL	107-21-1	14,000 H	14,000 H	1,400,000 H	14,000,000 H	1,400,000 H	1,400,000 H
ETHYLENE THIOUREA (ETU)	96-45-7	3 H	3 H	300 H	300 H	3,000 H	3,000 H
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	0.37 G	1 G	37 G	100 G	0.37 G	1 G
FENAMIPHOS	22224-92-6	2 H	2 H	200 H	200 H	2 H	2 H
FENVALERATE (PYDRIN)	51630-58-1	85 S	85 S	85 S	85 S	85 S	85 S
FLUOMETURON	2164-17-2	90 H	90 H	9,000 H	9,000 H	90 H	90 H
FLUORANTHENE	206-44-0	260 S	260 S	260 S	260 S	260 S	260 S
FLUORENE	86-73-7	1,500 G	1,900 S	1,900 S	1,900 S	1,900 S	1,900 S
FLUOROTRICHLOROMETHANE (FREON 11)	75-69-4	2,000 H	2,000 H	200,000 H	200,000 H	200,000 H	200,000 H
FONOFOS	944-22-9	10 H	10 H	1,000 H	1,000 H	10 H	10 H
FORMALDEHYDE	50-00-0	1,000 H	1,000 H	100,000 H	100,000 H	100,000 H	100,000 H
FORMIC ACID	64-18-6	19,000 N	41,000 N	1,900,000 N	4,100,000 N	190,000 N	410,000 N
FOSETYL-AL	39148-24-8	110,000 G	310,000 G	11,000,000 G	31,000,000 G	110,000 G	310,000 G
FURAN	110-00-9	9.7 N	20 N	970 N	2,000 N	970 N	2,000 N
FURFURAL	98-01-1	110 G	290 N	11,000 G	29,000 N	110 G	290 N
GLYPHOSATE	1071-83-6	700 M	700 M	70,000 M	70,000 M	700 M	700 M
HEPTACHLOR	76-44-8	0.4 M	0.4 M	40 M	40 M	180 S	180 S
HEPTACHLOR EPOXIDE	1024-57-3	0.2 M	0.2 M	20 M	20 M	200 M	200 M
HEXACHLOROBENZENE	118-74-1	1 M	1 M	6 S	6 S	6 S	6 S
HEXACHLOROBUTADIENE	87-68-3	1 H	1 H	100 H	100 H	1,000 H	1,000 H
HEXACHLOROCYCLOPENTADIENE	77-47-4	50 M	50 M	1,800 S	1,800 S	1,800 S	1,800 S
HEXACHLOROETHANE	67-72-1	1 H	1 H	100 H	100 H	100 H	100 H
HEXANE	110-54-3	550 N	1,200 N	9,500 S	9,500 S	550 N	1,200 N
HEXYTHIAZOX (SAVEY)	78587-05-0	500 S	500 S	500 S	500 S	500 S	500 S
HYDRAZINE/HYDRAZINE SULFATE	302-01-2	0.0088 N	0.038 N	0.88 N	3.8 N	0.088 N	0.38 N
HYDROQUINONE	123-31-9	1,500 G	4,100 G	150,000 G	410,000 G	1,500,000 G	4,100,000 G
INDENO(1,2,3-CD)PYRENE	193-39-5	0.9 G	3.6 G	62 S	62 S	62 S	62 S
IPRODIONE	36734-19-7	1,500 G	4,100 G	13,000 S	13,000 S	1,500 G	4,100 G
ISOBUTYL ALCOHOL	78-83-1	2,900 N	6,100 N	290,000 N	610,000 N	290,000 N	610,000 N

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
ISOPHORONE	78-59-1	100 H	100 H	10,000 H	10,000 H	100,000 H	100,000 H
KEPONE	143-50-0	0.041 G	0.16 G	4.1 G	16 G	41 G	160 G
MALATHION	121-75-5	100 H	100 H	10000 H	10000 H	10,000 H	10,000 H
MALEIC HYDRAZIDE	123-33-1	4,000 H	4,000 H	400,000 H	400,000 H	4,000 H	4,000 H
MANEB	12427-38-2	180 G	510 G	18,000 G	23,000 S	180 G	510 G
MERPHOS OXIDE	78-48-8	1.1 G	3.1 G	110 G	310 G	1.1 G	3.1 G
METHACRYLONITRILE	126-98-7	1.9 N	4.1 N	190 N	410 N	1.9 N	4.1 N
METHAMIDOPHOS	10265-92-6	1.8 G	5.1 G	180 G	510 G	1.8 G	5.1 G
METHANOL	67-56-1	4,900 N	10,000 N	490,000 N	1,000,000 N	490,000 N	1,000,000 N
METHOMYL	16752-77-5	200 H	200 H	20000 H	20000 H	200 H	200 H
METHOXYCHLOR	72-43-5	40 M	40 M	45 S	45 S	45 S	45 S
METHOXYETHANOL, 2-	109-86-4	37 G	100 G	3,700 G	10,000 G	37 G	100 G
METHYL ACETATE	79-20-9	37,000 G	100,000 G	3,700,000 G	10,000,000 G	37,000 G	100,000 G
METHYL ACRYLATE	96-33-3	1,100 G	3,100 G	110,000 G	310,000 G	110,000 G	310,000 G
METHYL CHLORIDE	74-87-3	3 H	3 H	300 H	300 H	300 H	300 H
METHYL ETHYL KETONE	78-93-3	2,800 N	5,800 N	280,000 N	580,000 N	280,000 N	580,000 N
METHYL ISOBUTYL KETONE	108-10-1	190 N	410 N	19,000 N	41,000 N	19,000 N	41,000 N
METHYL METHACRYLATE	80-62-6	1,900 N	4,100 N	190,000 N	410,000 N	190,000 N	410,000 N
METHYL METHANESULFONATE	66-27-3	6.7 G	26 G	670 G	2600 G	6.7 G	26 G
METHYL PARATHION	298-00-0	2 H	2 H	200 H	200 H	200 H	200 H
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	220 G	610 G	22,000 G	61,000 G	220 G	610 G
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	20 H	20 H	2,000 H	2,000 H	200 H	200 H
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	5.1 G	20 G	510 G	2,000 G	5.1 G	20 G
METHYLNAPHTHALENE, 2-	91-57-6	730 G	2,000 G	25,000 S	25,000 S	730 G	2000 G
METHYLSTYRENE, ALPHA	98-83-9	680 N	1,400 N	68,000 N	140,000 N	680 N	1,400 N
NAPHTHALENE	91-20-3	100 H	100 H	10,000 H	10,000 H	30,000 S	30,000 S
NAPHTHYLAMINE, 1-	134-32-7	0.37 G	1.4 G	37 G	140 G	370 G	1,400 G
NAPHTHYLAMINE, 2-	91-59-8	0.37 G	1.4 G	37 G	140 G	370 G	1,400 G
NAPROPAMIDE	15299-99-7	3,700 G	10,000 G	70,000 S	70,000 S	3,700 G	10,000 G
NITROANILINE, M-	99-09-2	2.1 G	5.8 G	210 G	580 G	2.1 G	5.8 G
NITROANILINE, O-	88-74-4	2.1 G	5.8 G	210 G	580 G	2.1 G	5.8 G
NITROANILINE, P-	100-01-6	2.1 G	5.8 G	210 G	580 G	2.1 G	5.8 G
NITROBENZENE	98-95-3	18 G	51 G	1,800 G	5,100 G	18,000 G	51,000 G
NITROPHENOL, 2-	88-75-5	290 G	820 G	29,000 G	82,000 G	290,000 G	820,000 G

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
NITROPHENOL, 4-	100-02-7	60 H	60 H	6,000 H	6,000 H	60,000 H	60,000 H
NITROPROPANE, 2-	79-46-9	0.016 N	0.068 N	1.6 N	6.8 N	0.16 N	0.68 N
NITROSODIETHYLAMINE, N-	55-18-5	0.001 N	0.0043 N	0.1 N	0.43 N	0.01 N	0.043 N
NITROSODIMETHYLAMINE, N-	62-75-9	0.0031 N	0.013 N	0.31 N	1.3 N	0.031 N	0.13 N
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3	0.027 N	0.11 N	2.7 N	11 N	2.7 N	11 N
NITROSODI-N-PROPYLAMINE, N-	621-64-7	0.094 G	0.37 G	9.4 G	37 G	94 G	370 G
NITROSODIPHENYLAMINE, N-	86-30-6	130 G	530 G	13,000 G	35,000 S	35,000 S	35,000 S
NITROSO-N-ETHYLUREA, N-	759-73-9	0.0047 G	0.019 G	0.47 G	1.9 G	0.47 G	1.9 G
OCTYL PHTHALATE, DI-N-	117-84-0	730 G	2,000 G	3,000 S	3,000 S	3,000 S	3,000 S
OXAMYL (VYDATE)	23135-22-0	200 M	200 M	20,000 M	20,000 M	200 M	200 M
PARATHION	56-38-2	220 G	610 G	20,000 S	20,000 S	220 G	610 G
PCB-1016 (AROCLOR)	12674-11-2	2.6 G	7.2 G	250 S	250 S	2.6 G	7.2 G
PCB-1221 (AROCLOR)	11104-28-2	1.3 G	5.2 G	130 G	520 G	1.3 G	5.2 G
PCB-1232 (AROCLOR)	11141-16-5	1.3 G	5.2 G	130 G	520 G	1.3 G	5.2 G
PCB-1242 (AROCLOR)	53469-21-9	1.3 G	5.2 G	100 S	100 S	1.3 G	5.2 G
PCB-1248 (AROCLOR)	12672-29-6	0.37 G	1.4 G	37 G	37 G	0.37 G	1.4 G
PCB-1254 (AROCLOR)	11097-69-1	0.37 G	1.4 G	37 G	37 G	0.37 G	1.4 G
PCB-1260 (AROCLOR)	11096-82-5	1.1 G	4.3 G	80 S	80 S	1.1 G	4.3 G
PEBULATE	1114-71-2	1,800 G	5,100 G	92,000 S	92,000 S	1,800 G	5,100 G
PENTACHLOROBENZENE	608-93-5	29 G	82 G	740 S	740 S	740 S	740 S
PENTACHLORONITROBENZENE	82-68-8	2.5 G	10 G	250 G	440 S	440 S	440 S
PENTACHLOROPHENOL	87-86-5	1 M	1 M	100 M	100 M	1,000 M	1,000 M
PHENACETIN	62-44-2	300 G	1,200 G	30,000 G	120,000 G	300,000 G	760,000 S
PHENANTHRENE	85-01-8	1,100 S	1,100 S	1,100 S	1,100 S	1,100 S	1,100 S
PHENOL	108-95-2	4,000 H	4,000 H	400,000 H	400,000 H	400,000 H	400,000 H
PHENYLENEDIAMINE, M-	108-45-2	220 G	610 G	22,000 G	61,000 G	220,000 G	610,000 G
PHENYLPHENOL, 2-	90-43-7	340 G	1,300 G	34,000 G	130,000 G	340,000 G	700,000 G
PHORATE	298-02-2	1.9 N	4.1 N	190 N	410 N	1.9 N	4.1 N
PHTHALIC ANHYDRIDE	85-44-9	73,000 G	200,000 G	6,200,000 S	6,200,000 S	6,200,000 S	6,200,000 S
PICLORAM	1918-02-1	500 M	500 M	50,000 M	50,000 M	500 M	500 M
POLYCHLORINATED BIPHENYLS (AROCLORS) (PCBS)	1336-36-3	0.5 M	0.5 M	50 M	50 M	0.5 M	0.5 M
PRONAMIDE	23950-58-5	50 H	50 H	5,000 H	5,000 H	50 H	50 H
PROPANIL	709-98-8	180 G	510 G	18,000 G	51,000 G	180 G	510 G

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
PROPHAM	122-42-9	730 G	2,000 G	73,000 G	200,000 G	730 G	2,000 G
PROPYLBENZENE, N-	103-65-1	1,500 G	4,100 G	52,000 S	52,000 S	1,500 G	4,100 G
PROPYLENE OXIDE	75-56-9	2.8 G	11 G	280 G	1,100 G	2.8 G	11 G
PYRENE	129-00-0	130 S	130 S	130 S	130 S	130 S	130 S
PYRIDINE	110-86-1	9.7 N	20 N	970 N	2,000 N	97 N	200 N
QUINOLINE	91-22-5	0.055 G	0.22 G	5.5 G	22 G	55 G	220 G
QUIZALOFOP (ASSURE)	76578-14-8	300 S	300 S	300 S	300 S	300 S	300 S
RONNEL	299-84-3	1,800 G	5,100 G	40,000 S	40,000 S	1,800 G	5,100 G
SIMAZINE	122-34-9	4 M	4 M	400 M	400 M	4 M	4 M
STRYCHNINE	57-24-9	11 G	31 G	1,100 G	3,100 G	11,000 G	31,000 G
STYRENE	100-42-5	100 M	100 M	10,000 M	10,000 M	10,000 M	10,000 M
TEBUTHIURON	34014-18-1	500 H	500 H	50,000 H	50,000 H	500 H	500 H
TERBACIL	5902-51-2	90 H	90 H	9,000 H	9,000 H	90 H	90 H
TERBUFOS	13071-79-9	0.9 H	0.9 H	90 H	90 H	0.9 H	0.9 H
TETRACHLOROBENZENE, 1,2,4,5-	95-94-3	11 G	31 G	580 S	580 S	580 S	580 S
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8-(TCDD)	1746-01-6	0.00003 M	0.00003 M	0.003 M	0.003 M	0.019 S	0.019 S
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	70 H	70 H	7,000 H	7,000 H	7,000 H	7,000 H
TETRACHLOROETHANE, 1,2,2,2-	79-34-5	0.3 N	0.3 N	30 N	30 N	30 N	30 N
TETRACHLOROETHYLENE (PCE)	127-18-4	5 M	5 M	500 M	500 M	50 M	50 M
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	290 N	610 N	29,000 N	61,000 N	29,000 N	61,000 N
TETRAETHYL LEAD	78-00-2	0.0037 G	0.01 G	0.37 G	1 G	3.7 G	10 G
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	4.9 N	10 N	490 N	1,000 N	4.9 N	10 N
THIOFANOX	39196-18-4	11 G	31 G	1,100 G	3,100 G	11 G	31 G
THIRAM	137-26-8	180 G	510 G	18,000 G	30,000 S	180 G	510 G
TOLUENE	108-88-3	1,000 M	1,000 M	100,000 M	100,000 M	100,000 M	100,000 M
TOLUIDINE, M-	108-44-1	2.8 G	11 G	280 G	1,100 G	2.8 G	11 G
TOLUIDINE, O	95-53-4	2.8 G	11 G	280 G	1,100 G	2,800 G	11,000 G
TOLUIDINE, P-	106-49-0	3.5 G	14 G	350 G	1,400 G	3.5 G	14 G
TOXAPHENE	8001-35-2	3 M	3 M	300 M	300 M	3 M	3 M
TRIALATE	2303-17-5	470 G	1,300 G	4,000 S	4,000 S	470 G	1,300 G
TRIBROMOMETHANE (BROMOFORM)	75-25-2	100 M	100 M	10,000 M	10,000 M	1,000 M	1,000 M
TRICHLORO-1,2,2-TRIFLUOROETHANE, 1,1,2-	76-13-1	83,000 N	170,000 S	170,000 S	170,000 S	170,000 N	170,000 S
TRICHLOROBENZENE, 1,2,4-	120-82-1	70 M	70 M	7,000 M	7,000 M	44,000 S	44,000 S

**TABLE 1—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN GROUNDWATER (Continued)**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2500		TDS > 2500		R	NR
		R	NR	R	NR		
TRICHLOROBENZENE, 1,3,5-	108-70-3	40 H	40 H	4,000 H	4000 H	40 H	40 H
TRICHLOROETHANE, 1,1,1-	71-55-6	200 M	200 M	20,000 M	20,000 M	2,000 M	2,000 M
TRICHLOROETHANE, 1,1,2-	79-00-5	5 M	5 M	500 M	500 M	50 M	50 M
TRICHLOROETHYLENE (TCE)	79-01-6	5 M	5 M	500 M	500 M	50 M	50 M
TRICHLOROPHENOL, 2,4,5-	95-95-4	3,700 G	10,000 G	370,000 G	1,000,000 G	100,000 S	1,000,000 S
TRICHLOROPHENOL, 2,4,6-	88-06-2	11 G	31 G	1,100 G	3,100 G	11,000 G	31,000 G
TRICHLOROPHENOXYACETIC ACID, 2,4,5- (2,4,5-T)	93-76-5	70 H	70 H	7,000 H	7,000 H	70,000 H	70,000 H
TRICHLOROPHENOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)	93-72-1	50 M	50 M	5,000 M	5,000 M	50 M	50 M
TRICHLOROPROPANE, 1,1,2-	598-77-6	180 G	510 G	18,000 G	51,000 G	180 G	510 G
TRICHLOROPROPANE, 1,2,3-	96-18-4	40 H	40 H	4,000 H	4000 H	4,000 H	4,000 H
TRICHLOROPROPENE, 1,2,3-	96-19-5	180 G	510 G	18,000 G	51,000 G	180 G	510 G
TRIFLURALIN	1582-09-8	5 H	5 H	500 H	500 H	5 H	5 H
TRIMETHYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	95-63-6	16 N	35 N	1,600 N	3,500 N	1,600 N	3,500 N
TRIMETHYLBENZENE, 1,3,5-	108-67-8	16 N	35 N	1,600 N	3,500 N	16 N	35 N
TRINITROTOLUENE, 2,4,6-	118-96-7	2 H	2 H	200 H	200 H	2 H	2 H
VINYL ACETATE	108-05-4	550 N	1200 N	55,000 N	120,000 N	550 N	1,200 N
VINYL BROMIDE (BROMOETHENE)	593-60-2	1.4 N	5.8 N	140 N	580 N	14 N	58 N
VINYL CHLORIDE	75-01-4	2 M	2 M	200 M	200 M	20 M	20 M
WARFARIN	81-81-2	11 G	31 G	1,100 G	3,100 G	11,000 G	17,000 S
XYLENES (TOTAL)	1330-20-7	10,000 M	10,000 M	180,000 S	180,000 S	180,000 S	180,000 S
ZINEB	12122-67-7	1,800 G	5,100 G	10,000 S	10,000 S	1,800 G	5,100 G

All concentrations in µg/L

R = Residential

NR = Non-Residential

M = Maximum Contaminant Level

H = Lifetime health advisory level

G = Ingestion

N = Inhalation

S = Aqueous solubility cap

**TABLE 2—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR INORGANIC REGULATED SUBSTANCES IN GROUNDWATER**

REGULATED SUBSTANCE	CASRN	USED AQUIFERS				NON-USE AQUIFERS	
		TDS ≤ 2,500		TDS > 2,500		R	NR
		R	NR	R	NR		
ANTIMONY	7440-36-0	6 M	6 M	600 M	600 M	6,000 M	6,000 M
ARSENIC	7440-38-2	50 M	50 M	5,000 M	5,000 M	50,000 M	50,000 M
ASBESTOS (fibers/L)	12001-29-5	7,000,000 M	7,000,000 M	7,000,000 M	7,000,000 M	7,000,000 M	7,000,000 M
BARIUM AND COMPOUNDS	7440-39-3	2,000 M	2,000 M	200,000 M	200,000 M	2,000,000 M	2,000,000 M
BERYLLIUM	7440-41-7	4 M	4 M	400 M	400 M	4,000 M	4,000 M
BORON AND COMPOUNDS	7440-42-8	600 H	600 H	60,000 H	60,000 H	600,000 H	600,000 H
CADMIUM	7440-43-9	5 M	5 M	500 M	500 M	5,000 M	5,000 M
CHROMIUM, TOTAL	16065-83-1	100 M	100 M	10,000 M	10,000 M	100,000 M	100,000 M
COBALT	7440-48-4	730 G	2,000 G	73,000 G	200,000 G	73,000 G	200,000 G
COPPER	7440-50-8	1,000 M	1,000 M	100,000 M	100,000 M	1,000,000 M	1,000,000 M
CYANIDE, FREE	57-12-5	200 M	200 M	20,000 M	20,000 M	200,000 M	200,000 M
LEAD	7439-92-1	5 M	5 M	500 M	500 M	5,000 M	5,000 M
MERCURY	7439-97-6	2 M	2 M	200 M	200 M	2,000 M	2,000 M
NICKEL	7440-02-0	100 H	100 H	10,000 H	10,000 H	100,000 H	100,000 H
NITRATE NITROGEN	14797-55-8	10,000 M	10,000 M	1,000,000 M	1,000,000 M	10,000,000 M	10,000,000 M
NITRITE NITROGEN	14797-65-0	1,000 M	1,000 M	100,000 M	100,000 M	1,000,000 M	1,000,000 M
SELENIUM	7782-49-2	50 M	50 M	5,000 M	5,000 M	50,000 M	50,000 M
SILVER	7440-22-4	100 H	100 H	10,000 H	10,000 H	100,000 H	100,000 H
SULFATE		500,000 M	500,000 M	50,000,000 M	50,000,000 M	500,000,000 M	500,000,000 M
THALLIUM	7440-28-0	2 M	2 M	200 M	200 M	2,000 M	2,000 M
TIN	7440-31-5	22,000 G	61,000 G	2,200,000 G	6,100,000 G	22,000,000 G	61,000,000 G
VANADIUM	7440-62-2	260 G	720 G	26,000 G	72,000 G	260,000 G	720,000 G
ZINC AND COMPOUNDS	7440-66-6	2,000 H	2,000 H	200,000 H	200,000 H	2,000,000 H	2,000,000 H

**Secondary Contaminants**

REGULATED SUBSTANCE	SMCL
ALUMINUM	200
CHLORIDE	250,000
FLUORIDE	2,000
IRON	300
MANGANESE	50

All concentrations in µg/L (except asbestos)  
M = Maximum Contaminant Level  
H = Lifetime Health Advisory Level  
SMCL = Secondary Maximum Contaminant Level  
G = Ingestion  
N = Inhalation



**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
ACENAPHTHENE	83-32-9	13,000	G	170,000	G	190,000	C
ACENAPHTHYLENE	208-96-8	13,000	G	170,000	G	190,000	C
ACEPHATE	30560-19-1	880	G	9,100	G	190,000	C
ACETALDEHYDE	75-07-0	140	N	480	N	560	N
ACETONE	67-64-1	10,000	C	10,000	C	10,000	C
ACETONITRILE	75-05-8	1,100	N	3,200	N	3,600	N
ACETOPHENONE	98-86-2	10,000	C	10,000	C	10,000	C
ACETYLAMINOFLUORENE, 2- (2AAF)	53-96-3	4.7	G	21	G	190,000	C
ACROLEIN	107-02-8	0.38	N	1.1	N	1.2	N
ACRYLAMIDE	79-06-1	4	G	18	G	190,000	C
ACRYLIC ACID	79-10-7	19	N	53	N	60	N
ACRYLONITRILE	107-13-1	4.7	N	24	N	28	N
ALACHLOR	15972-60-8	220	G	990	G	190,000	C
ALDICARB	116-06-3	220	G	2,800	G	190,000	C
ALDRIN	309-00-2	1.1	G	4.7	G	190,000	C
ALLYL ALCOHOL	107-18-6	330	N	930	N	1,100	N
AMINOBIHENYL, 4-	92-67-1	0.85	G	3.8	G	190,000	C
AMITROLE	61-82-5	19	G	84	G	190,000	C
AMMONIA	7664-41-7	1,900	N	5,300	N	6,100	N
AMMONIUM SULFAMATE	7773-06-0	44,000	G	190,000	C	190,000	C
ANILINE	62-53-3	19	N	53	N	60	N
ANTHRACENE	120-12-7	66,000	G	190,000	C	190,000	C
ATRAZINE	1912-24-9	81	G	360	G	190,000	C
BAYGON (PROPOXUR)	114-26-1	880	G	11,000	G	190,000	C
BENOMYL	17804-35-2	11,000	G	140,000	G	190,000	C
BENTAZON	25057-89-0	6,600	G	84,000	G	190,000	C
BENZENE	71-43-2	41	N	210	N	240	N
BENZIDINE	92-87-5	0.078	G	0.34	G	190,000	C
BENZO[A]ANTHRACENE	56-55-3	25	G	110	G	190,000	C
BENZO[A]PYRENE	50-32-8	2.5	G	11	G	190,000	C
BENZO[B]FLUORANTHENE	205-99-2	25	G	110	G	190,000	C
BENZO[GHI]PERYLENE	191-24-2	13,000	G	170,000	G	190,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
BENZO[K]FLUORANTHENE	207-08-9	250	G	1100	G	190,000	C
BENZOIC ACID	65-85-0	190,000	C	190,000	C	190,000	C
BENZOTRICHLORIDE	98-07-7	1.4	G	6.1	G	10,000	C
BENZYL ALCOHOL	100-51-6	10,000	C	10,000	C	10,000	C
BENZYL CHLORIDE	100-44-7	6.4	N	33	N	38	N
BHC, ALPHA	319-84-6	2.8	G	13	G	190,000	C
BHC, BETA-	319-85-7	9.9	G	44	G	190,000	C
BHC, DELTA-	319-86-8	130	G	1,700	G	190,000	C
BHC, GAMMA (LINDANE)	58-89-9	14	G	61	G	190,000	C
BIPHENYL, 1,1-	92-52-4	11,000	G	140,000	G	190,000	C
BIS(2-CHLOROETHYL)ETHER	111-44-4	0.96	N	5	N	5.7	N
BIS(2-CHLORO-ISOPROPYL)ETHER	108-60-1	32	N	160	N	190	N
BIS(CHLOROMETHYL)ETHER	542-88-1	0.0051	N	0.027	N	0.031	N
BIS[2-ETHYLHEXYL] PHTHALATE	117-81-7	1,300	G	5,700	G	10,000	C
BISPHENOL A	80-05-7	11,000	G	140,000	G	190,000	C
BROMACIL	314-40-9	22,000	G	190,000	C	190,000	C
BROMOCHLOROMETHANE	74-97-5	2,200	G	10,000	C	10,000	C
BROMODICHLOROMETHANE	75-27-4	8.6	N	45	N	51	N
BROMOMETHANE	74-83-9	95	N	270	N	300	N
BROMOXYNIL	1689-84-5	4,400	G	56,000	G	190,000	C
BROMOXYNIL OCTANOATE	1689-99-2	4,400	G	56,000	G	190,000	C
BUTADIENE, 1,3-	106-99-0	5.3	G	23	G	190,000	C
BUTYL ALCOHOL, N-	71-36-3	6,600	N	10,000	C	10,000	C
BUTYLATE	2008-41-5	10,000	C	10,000	C	10,000	C
BUTYLBENZENE, N-	104-51-8	8,800	G	10,000	C	10,000	C
BUTYLBENZENE, SEC-	135-98-8	8,800	G	10,000	C	10,000	C
BUTYLBENZENE, TERT-	98-06-6	8,800	G	10,000	C	10,000	C
BUTYLBENZYL PHTHALATE	85-68-7	10,000	C	10,000	C	10,000	C
CAPTAN	133-06-2	5,100	G	23,000	G	190,000	C
CARBARYL	63-25-2	22,000	G	190,000	C	190,000	C
CARBAZOLE	86-74-8	900	G	4,000	G	190,000	C
CARBOFURAN	1563-66-2	1,100	G	14,000	G	190,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
CARBON DISULFIDE	75-15-0	10,000	C	10,000	C	10,000	C
CARBON TETRACHLORIDE	56-23-5	21	N	110	N	120	N
CARBOXIN	5234-68-4	22,000	G	190,000	C	190,000	C
CHLORAMBEN	133-90-4	3,300	G	42,000	G	190,000	C
CHLORDANE	57-74-9	51	G	230	G	190,000	C
CHLORO-1,1-DIFLUOROETHANE, 1-	75-68-3	190,000	C	190,000	C	190,000	C
CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	107-05-1	19	N	53	N	61	N
CHLOROACETOPHENONE, 2-	532-27-4	1.9	G	24	G	190,000	C
CHLOROANILINE, P-	106-47-8	880	G	11,000	G	190,000	C
CHLOROBENZENE	108-90-7	4,400	G	10,000	C	10,000	C
CHLOROBENZILATE	510-15-6	66	G	290	G	10,000	C
CHLOROBUTANE, 1-	109-69-3	10,000	C	10,000	C	10,000	C
CHLORODIBROMOMETHANE	124-48-1	12	N	61	N	70	N
CHLORODIFLUOROMETHANE	75-45-6	190,000	C	190,000	C	190,000	C
CHLOROETHANE	75-00-3	6,200	G	10,000	C	10,000	C
CHLOROFORM	67-66-3	6	N	17	N	19	N
CHLORONAPHTHALENE, 2-	91-58-7	18,000	G	190,000	C	190,000	C
CHLORONITROBENZENE, P-	100-00-5	990	G	4,400	G	190,000	C
CHLOROPHENOL, 2-	95-57-8	330	N	920	N	1,100	N
CHLOROPRENE	126-99-8	130	N	370	N	430	N
CHLOROPROPANE, 2-	75-29-6	1,900	N	5,400	N	6,100	N
CHLOROTHALONIL	1897-45-6	1,600	G	7,200	G	190,000	C
CHLOROTOLUENE, O-	95-49-8	4,400	G	10,000	C	10,000	C
CHLORPYRIFOS	2921-88-2	660	G	8,400	G	190,000	C
CHLORSULFURON	64902-72-3	11,000	G	140,000	G	190,000	C
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	2,200	G	28,000	G	190,000	C
CHRYSENE	218-01-9	2,500	G	11,000	G	190,000	C
CRESOL	1319-77-3	1,100	G	10,000	G	10,000	G
CRESOL, O- (METHYLPHENOL, 2-)	95-48-7	10,000	C	10,000	C	10,000	C
CRESOL, M (METHYLPHENOL, 3-)	108-39-4	10,000	C	10,000	C	10,000	C
CRESOL, P (METHYLPHENOL, 4-)	106-44-5	1,100	G	14,000	G	190,000	C
CRESOL, P-CHLORO-M-	59-50-7	1,100	G	14,000	G	190,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
CROTONALDEHYDE	4170-30-3	9.4	G	42	G	10,000	C
CROTONALDEHYDE, TRANS-	123-73-9	9.4	G	42	G	10,000	C
CUMENE	98-82-8	7,300	N	10,000	C	10,000	C
CYCLOHEXANONE	108-94-1	10,000	C	10,000	C	10,000	C
CYFLUTHRIN	68359-37-5	5,500	G	10,000	C	10,000	C
CYROMAZINE	66215-27-8	1,700	G	21,000	G	190,000	C
DDD, 4,4'-	72-54-8	75	G	330	G	190,000	C
DDE, 4,4'-	72-55-9	53	G	230	G	190,000	C
DDT, 4,4'-	50-29-3	53	G	230	G	190,000	C
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	10,000	C	10,000	C	10,000	C
DIALATE	2303-16-4	18	N	93	N	110	N
DIAMINOTOLUENE, 2,4-	95-80-7	5.6	G	25	G	190,000	C
DIAZINON	333-41-5	200	G	2,500	G	190,000	C
DIBENZO[A,H]ANTHRACENE	53-70-3	2.5	G	11	G	190,000	C
DIBROMO-3-CHLOROPROPANE, 1,2-	96-12-8	3.8	N	11	N	12	N
DIBROMOBENZENE, 1,4-	106-37-6	2,200	G	28,000	G	190,000	C
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.21	G	0.93	G	8.6	N
DIBROMOMETHANE	74-95-3	670	N	1,900	N	2,100	N
DIBUTYL PHTHALATE, N-	84-74-2	10,000	C	10,000	C	10,000	C
DICHLORO-2-BUTENE, 1,4-	764-41-0	91,000	N	190,000	C	190,000	C
DICHLOROBENZENE, 1,2-	95-50-1	3,800	N	10,000	C	10,000	C
DICHLOROBENZENE, 1,3-	541-73-1	6,600	G	10,000	C	10,000	C
DICHLOROBENZENE, P-	106-46-7	750	G	3,300	G	190,000	C
DICHLOROBENZIDINE, 3,3'-	91-94-1	40	G	180	G	190,000	C
DICHLORODIFLUOROMETHANE (FREON 12)	75-71-8	3,800	N	10,000	C	10,000	C
DICHLOROETHANE, 1,1-	75-34-3	200	N	1,000	N	1,200	N
DICHLOROETHANE, 1,2-	107-06-2	12	N	63	N	73	N
DICHLOROETHYLENE, 1,1-	75-35-4	6.4	N	33	N	38	N
DICHLOROETHYLENE, CIS-1,2-	156-59-2	670	N	1,900	N	2,100	N
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	1,300	N	3,700	N	4,300	N
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	680	N	3,500	N	4,000	N
DICHLOROPHENOL, 2,4-	120-83-2	660	G	8,400	G	190,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
DICHLOROPHENOXYACETIC ACID, 2,4- (2,4-D)	94-75-7	2,200	G	28,000	G	190,000	C
DICHLOROPROPANE, 1,2-	78-87-5	31	N	160	N	180	N
DICHLOROPROPENE, 1,3-	542-75-6	80	N	410	N	470	N
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75-99-0	2,000	N	5,500	N	6,300	N
DICHLORVOS	62-73-7	62	G	270	G	190,000	C
DICYCLOPENTADIENE	77-73-6	6,600	G	84,000	G	190,000	C
DIELDRIN	60-57-1	1.1	G	5	G	10,000	C
DIETHYL PHTHALATE	84-66-2	10,000	C	10,000	C	10,000	C
DIFLUBENZURON	35367-38-5	4,400	G	56,000	G	190,000	C
DIMETHOATE	60-51-5	44	G	560	G	190,000	C
DIMETHOXYBENZIDINE, 3,3-	119-90-4	1,300	G	5,700	G	190,000	C
DIMETHYLAMINOAZOBENZENE, P-	60-11-7	3.9	G	17	G	190,000	C
DIMETHYLANILINE, N,N-	121-69-7	440	G	5,600	G	10,000	C
DIMETHYLBENZIDINE, 3,3-	119-93-7	1.9	G	8.6	G	10,000	C
DIMETHYLPHENOL, 2,4-	105-67-9	4,400	G	10,000	C	10,000	C
DINITROBENZENE, 1,3-	99-65-0	22	G	280	G	190,000	C
DINITROPHENOL, 2,4-	51-28-5	440	G	5,600	G	190,000	C
DINITROTOLUENE, 2,4-	121-14-2	58	G	260	G	190,000	C
DINITROTOLUENE, 2,6- (2,6-DNT)	606-20-2	220	G	2,800	G	190,000	C
DINOSEB	88-85-7	220	G	2,800	G	190,000	C
DIOXANE, 1,4-	123-91-1	41	N	210	N	240	N
DIPHENAMID	957-51-7	6,600	G	84,000	G	190,000	C
DIPHENYLAMINE	122-39-4	5,500	G	70,000	G	190,000	C
DIPHENYLHYDRAZINE, 1,2-	122-66-7	22	G	99	G	190,000	C
DIQUAT	85-00-7	480	G	6,200	G	190,000	C
DISULFOTON	298-04-4	2.7	N	7.6	N	8.7	N
DIURON	330-54-1	440	G	5,600	G	190,000	C
ENDOSULFAN	115-29-7	1,300	G	17,000	G	190,000	C
ENDOSULFAN I (ALPHA)	959-98-8	1,300	G	17,000	G	190,000	C
ENDOSULFAN II (BETA)	33213-65-9	1,300	G	17,000	G	190,000	C
ENDOSULFAN SULFATE	1031-07-8	1,300	G	17,000	G	190,000	C
ENDOTHALL	145-73-3	4,400	G	56,000	G	190,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
ENDRIN	72-20-8	66	G	840	G	190,000	C
EPICHLOROHYDRIN	106-89-8	19	N	53	N	60	N
ETHEPHON	16672-87-0	1,100	G	14,000	G	190,000	C
ETHION	563-12-2	110	G	1,400	G	10,000	C
ETHOXYETHANOL, 2- (EGEE)	110-80-5	3,800	N	10,000	C	10,000	C
ETHYL ACETATE	141-78-6	10,000	C	10,000	C	10,000	C
ETHYL ACRYLATE	140-88-5	23	N	120	N	140	N
ETHYL BENZENE	100-41-4	10,000	C	10,000	C	10,000	C
ETHYL DIPROPYLTHIOCARBAMATE, S- (EPTC)	759-94-4	5,500	G	10,000	C	10,000	C
ETHYL ETHER	60-29-7	10,000	C	10,000	C	10,000	C
ETHYL METHACRYLATE	97-63-2	20,000	G	190,000	C	190,000	C
ETHYLENE GLYCOL	107-21-1	10,000	C	10,000	C	10,000	C
ETHYLENE THIOUREA (ETU)	96-45-7	18	G	220	G	190,000	C
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	2.2	G	28	G	190,000	C
FENAMIPHOS	22224-92-6	55	G	700	G	190,000	C
FENVALERATE (PYDRIN)	51630-58-1	5,500	G	10,000	C	10,000	C
FLUOMETURON	2164-17-2	2,900	G	36,000	G	190,000	C
FLUORANTHENE	206-44-0	8,800	G	110,000	G	190,000	C
FLUORENE	86-73-7	8,800	G	110,000	G	190,000	C
FLUOROTRICHLOROMETHANE (FREON 11)	75-69-4	10,000	C	10,000	C	10,000	C
FONOFOS	944-22-9	140	N	380	N	440	N
FORMALDEHYDE	50-00-0	24	N	130	N	150	N
FORMIC ACID	64-18-6	10,000	C	10,000	C	10,000	C
FOSETYL-AL	39148-24-8	190,000	C	190,000	C	190,000	C
FURAN	110-00-9	220	G	2,800	G	10,000	C
FURFURAL	98-01-1	660	G	2,600	N	3,000	N
GLYPHOSATE	1071-83-6	22,000	G	190,000	C	190,000	C
HEPTACHLOR	76-44-8	4	G	18	G	190,000	C
HEPTACHLOR EPOXIDE	1024-57-3	2	G	8.7	G	190,000	C
HEXACHLOROBENZENE	118-74-1	11	G	50	G	190,000	C
HEXACHLOROBUTADIENE	87-68-3	44	G	560	G	10,000	C
HEXACHLOROCYCLOPENTADIENE	77-47-4	1,300	G	10,000	C	10,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
HEXACHLOROETHANE	67-72-1	220	G	2800	G	190,000	C
HEXANE	110-54-3	3,800	N	10,000	C	10,000	C
HEXYTHIAZOX (SAVEY)	78587-05-0	5,500	G	70,000	G	190,000	C
HYDRAZINE/HYDRAZINE SULFATE	302-01-2	0.065	N	0.34	N	0.39	N
HYDROQUINONE	123-31-9	8,800	G	110,000	G	190,000	C
INDENO[1,2,3-CD]PYRENE	193-39-5	25	G	110	G	190,000	C
IPRODIONE	36734-19-7	8,800	G	110,000	G	190,000	C
ISOBUTYL ALCOHOL	78-83-1	10,000	C	10,000	C	10,000	C
ISOPHORONE	78-59-1	10,000	C	10,000	C	10,000	C
KEPONE	143-50-0	1.1	G	5	G	190,000	C
MALATHION	121-75-5	1,400	N	4,000	N	4,600	N
MALEIC HYDRAZIDE	123-33-1	110,000	G	190,000	C	190,000	C
MANEB	12427-38-2	1,100	G	14,000	G	190,000	C
MERPPOS OXIDE	78-48-8	6.6	G	84	G	10,000	C
METHACRYLONITRILE	126-98-7	13	N	37	N	43	N
METHAMIDOPHOS	10265-92-6	11	G	140	G	190,000	C
METHANOL	67-56-1	10,000	C	10,000	C	10,000	C
METHOMYL	16752-77-5	5,500	G	70,000	G	190,000	C
METHOXYCHLOR	72-43-5	1,100	G	14,000	G	190,000	C
METHOXYETHANOL, 2-	109-86-4	220	G	1,100	N	1,200	N
METHYL ACETATE	79-20-9	10,000	C	10,000	C	10,000	C
METHYL ACRYLATE	96-33-3	6,600	G	10,000	C	10,000	C
METHYL CHLORIDE	74-87-3	180	N	920	N	1,000	N
METHYL ETHYL KETONE	78-93-3	10,000	C	10,000	C	10,000	C
METHYL ISOBUTYL KETONE	108-10-1	1,500	N	4,300	N	4,900	N
METHYL METHACRYLATE	80-62-6	10,000	C	10,000	C	10,000	C
METHYL METHANESULFONATE	66-27-3	180	G	800	G	190,000	C
METHYL PARATHION	298-00-0	17	N	48	N	55	N
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	1,300	G	17,000	G	190,000	C
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	620	G	3,200	N	3,700	N
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	140	G	610	G	190,000	C
METHYLNAPHTHALENE, 2-	91-57-6	4,400	G	10,000	C	10,000	C

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
METHYLSTYRENE, ALPHA	98-83-9	15,000	G	190,000	C	190,000	C
NAPHTHALENE	91-20-3	4,400	G	56,000	G	190,000	C
NAPHTHYLAMINE, 1-	134-32-7	9.9	G	44	G	190,000	C
NAPHTHYLAMINE, 2-	91-59-8	9.9	G	44	G	190,000	C
NAPROPAMIDE	15299-99-7	22,000	G	190,000	C	190,000	C
NITROANILINE, M-	99-09-2	13	G	160	G	190,000	C
NITROANILINE, O-	88-74-4	13	G	160	G	190,000	C
NITROANILINE, P-	100-01-6	13	G	160	G	190,000	C
NITROBENZENE	98-95-3	110	G	1,400	G	10,000	C
NITROPHENOL, 2-	88-75-5	1,800	G	22,000	G	190,000	C
NITROPHENOL, 4-	100-02-7	1,800	G	22,000	G	190,000	C
NITROPROPANE, 2-	79-46-9	0.12	N	0.61	N	0.70	N
NITROSODIETHYLAMINE, N-	55-18-5	0.0073	N	0.038	N	0.044	N
NITROSODIMETHYLAMINE, N-	62-75-9	0.023	N	0.12	N	0.13	N
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3	3.3	G	15	G	10,000	C
NITROSODI-N-PROPYLAMINE, N-	621-64-7	2.6	G	11	G	10,000	C
NITROSODIPHENYLAMINE, N-	86-30-6	3,700	G	16,000	G	190,000	C
NITROSO-N-ETHYLUREA, N-	759-73-9	0.13	G	0.57	G	190,000	C
OCTYL PHTHALATE, DI-N-	117-84-0	4,400	G	10,000	C	10,000	C
OXAMYL (VYDATE)	23135-22-0	5,500	G	70,000	G	190,000	C
PARATHION	56-38-2	1,300	G	10,000	C	10,000	C
PCB-1016 (AROCLOR)	12674-11-2	15	G	200	G	10,000	C
PCB-1221 (AROCLOR)	11104-28-2	36	G	160	G	10,000	C
PCB-1232 (AROCLOR)	11141-16-5	36	G	160	G	10,000	C
PCB-1242 (AROCLOR)	53469-21-9	36	G	160	G	10,000	C
PCB-1248 (AROCLOR)	12672-29-6	9.9	G	44	G	10,000	C
PCB-1254 (AROCLOR)	11097-69-1	4.4	G	44	G	10,000	C
PCB-1260 (AROCLOR)	11096-82-5	30	G	130	G	190,000	C
PEBULATE	1114-71-2	10,000	C	10,000	C	10,000	C
PENTACHLOROBENZENE	608-93-5	180	G	2,200	G	190,000	C
PENTACHLORONITROBENZENE	82-68-8	69	G	310	G	190,000	C
PENTACHLOROPHENOL	87-86-5	150	G	660	G	190,000	C



**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
PHENACETIN	62-44-2	8,100	G	36,000	G	190,000	C
PHENANTHRENE	85-01-8	66,000	G	190,000	C	190,000	C
PHENOL	108-95-2	130,000	G	190,000	C	190,000	C
PHENYLENEDIAMINE, M-	108-45-2	1,300	G	17,000	G	190,000	C
PHENYLPHENOL, 2-	90-43-7	9,200	G	41,000	G	190,000	C
PHORATE	298-02-2	13	N	37	N	43	N
PHTHALIC ANHYDRIDE	85-44-9	190,000	C	190,000	C	190,000	C
PICLORAM	1918-02-1	15,000	G	190,000	C	190,000	C
PRONAMIDE	23950-58-5	17,000	G	190,000	C	190,000	C
PROPANIL	709-98-8	1,100	G	14,000	G	190,000	C
PROPHAM	122-42-9	4,400	G	56,000	G	190,000	C
PROPYLBENZENE, N-	103-65-1	8,800	G	10,000	C	10,000	C
PROPYLENE OXIDE	75-56-9	75	G	330	G	510	N
PYRENE	129-00-0	6,600	G	84,000	G	190,000	C
PYRIDINE	110-86-1	67	N	190	N	210	N
QUINOLINE	91-22-5	1.5	G	6.6	G	10,000	C
QUIZALOFOP (ASSURE)	76578-14-8	2,000	G	25,000	G	190,000	C
RONNEL	299-84-3	11,000	G	140,000	G	190,000	C
SIMAZINE	122-34-9	150	G	660	G	190,000	C
STRYCHNINE	57-24-9	66	G	840	G	190,000	C
STYRENE	100-42-5	10,000	C	10,000	C	10,000	C
TEBUTHIURON	34014-18-1	15,000	G	190,000	C	190,000	C
TERBACIL	5902-51-2	2,900	G	36,000	G	190,000	C
TERBUFOS	13071-79-9	1.7	N	4.6	N	5.3	N
TETRACHLOROENZENE, 1,2,4,5-	95-94-3	66	G	840	G	190,000	C
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8- (TCDD)	1746-01-6	0.00012	G	0.00053	G	190,000	C
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	690	G	3,100	G	190,000	C
TETRACHLOROETHANE, 1,1,2,2-	79-34-5	5.5	N	28	N	33	N
TETRACHLOROETHYLENE (PCE)	127-18-4	340	G	1,500	G	3,300	N
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	6,600	G	84,000	G	190,000	C
TETRAETHYL LEAD	78-00-2	0.022	G	0.28	G	10,000	C
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	33	N	92	N	110	N

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
THIOFANOX	39196-18-4	66	G	840	G	190,000	C
THIRAM	137-26-8	1,100	G	14,000	G	190,000	C
TOLUENE	108-88-3	7,600	N	10,000	C	10,000	C
TOLUIDINE, M-	108-44-1	75	G	330	G	10,000	C
TOLUIDINE, O-	95-53-4	75	G	330	G	10,000	C
TOLUIDINE, P-	106-49-0	94	G	420	G	190,000	C
TOXAPHENE	8001-35-2	16	G	72	G	190,000	C
TRIALATE	2303-17-5	2,900	G	36,000	G	190,000	C
TRIBROMOMETHANE (BROMOFORM)	75-25-2	290	N	1,500	N	1,700	N
TRICHLORO- 1,2,2- TRIFLUOROETHANE, 1,1,2-	76-13-1	190,000	C	190,000	C	190,000	C
TRICHLOROBENZENE, 1,2,4-	120-82-1	2,200	G	10,000	C	10,000	C
TRICHLOROBENZENE, 1,3,5-	108-70-3	1,300	G	17,000	G	190,000	C
TRICHLOROETHANE, 1,1,1-	71-55-6	10,000	G	10,000	C	10,000	C
TRICHLOROETHANE, 1,1,2-	79-00-5	20	N	100	N	120	N
TRICHLOROETHYLENE (TCE)	79-01-6	190	N	970	N	1,100	N
TRICHLOROPHENOL, 2,4,5-	95-95-4	22,000	G	190,000	C	190,000	C
TRICHLOROPHENOL, 2,4,6-	88-06-2	66	G	840	G	190,000	C
TRICHLOROPHENOXYACETIC ACID, 2,4,5- (2,4,5-T)	93-76-5	2,200	G	28,000	G	190,000	C
TRICHLOROPHENOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)(SILVEX)	93-72-1	1,800	G	22,000	G	190,000	C
TRICHLOROPROPANE, 1,1,2-	598-77-6	1,100	G	10,000	C	10,000	C
TRICHLOROPROPANE, 1,2,3-	96-18-4	0.16	N	0.82	N	0.95	N
TRICHLOROPROPENE, 1,2,3-	96-19-5	1,100	G	10,000	C	10,000	C
TRIFLURALIN	1582-09-8	1,700	G	10,000	G	190,000	C
TRIMETHYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	95-63-6	110	N	320	N	360	N
TRIMETHYLBENZENE, 1,3,5-	108-67-8	110	N	320	N	360	N
TRINITROTOLUENE, 2,4,6-	118-96-7	110	G	1,400	G	190,000	C
VINYL ACETATE	108-05-4	3,800	N	10,000	C	10,000	C
VINYL BROMIDE (BROMOETHENE)	593-60-2	160	G	720	G	190,000	C
VINYL CHLORIDE	75-01-4	12	G	53	G	220	N

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**A. Direct Contact Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential 0-15 feet		Non-Residential			
				Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
WARFARIN	81-81-2	66	G	840	G	190,000	C
XYLENES (TOTAL)	1330-20-7	8,000	N	10,000	C	10,000	C
ZINEB	12122-67-7	11,000	G	140,000	G	190,000	C

All concentrations in mg/kg

- G - Ingestion
- H - Inhalation
- C - Cap

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL**

**B. Soil to Groundwater Numeric Values<sup>1</sup>**

REGULATED SUBSTANCE	CASRN	Used Aquifers								Non-Use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				Residential		Non-Residential		
		Residential		Non-Residential		Residential		Non-Residential		Residential		Non-Residential		
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
ACENAPHTHENE	83-32-9	220	2,700 E	380	4,700 E	380	4,700 E	380	4,700 E	380	4,700 E	380	4,700 E	15
ACENAPHTHYLENE	208-96-8	220	2,500 E	610	6,900 E	1,600	1,800 E	1,600	18,000 E	1,600	18,000 E	1,600	18,000 E	15
ACEPHATE	30560-19-1	7.6	0.9 E	30	3.6 E	760	90 E	3,000	360 E	7.6	0.9 E	30	3.6 E	NA
ACETALDEHYDE	75-07-0	1.9	0.23 E	5.2	0.63 E	190	23 E	520	63 E	1.9	0.23 E	5.2	0.63 E	NA
ACETONE	67-64-1	370	41 E	1,000	110 E	10,000	4,100 E	10,000	10,000 C	3,700	410 E	10,000	1,100 E	NA
ACETONITRILE	75-05-8	17	1.9 E	35	3.9 E	1,700	190 E	3,500	390 E	170	19 E	350	39 E	NA
ACETOPHENONE	98-86-2	370	200 E	1,000	540 E	10,000	10,000 C	10,000	10,000 C	370	200 E	1,000	540 E	NA
ACETYLAMINOFLUORENE, 2-(2AAF)	53-96-3	0.017	0.07 E	0.068	0.28 E	1.7	7 E	6.8	28 E	17	70 E	68	280 E	20
ACROLEIN	107-02-8	0.0055	0.0062 E	0.012	0.0014 E	0.55	0.062 E	1.2	0.14 E	0.055	0.0062 E	0.12	0.014 E	NA
ACRYLAMIDE	79-06-1	0.0033	0.00057 E	0.014	0.0024 E	0.33	0.057 E	1.4	0.24 E	0.0033	0.00057 E	0.014	0.0024 E	NA
ACRYLIC ACID	79-10-7	0.28	0.051 E	0.58	0.11 E	28	5.1 E	58	11 E	28	5.1 E	58	11 E	NA
ACRYLONITRILE	107-13-1	0.063	0.0087 E	0.27	0.037 E	6.3	0.87 E	27	3.7 E	6.3	0.87 E	27	3.7 E	NA
ALACHLOR	15972-60-8	0.2	0.077 E	0.2	0.077 E	20	7.7 E	20	7.7 E	0.2	0.077 E	0.2	0.077 E	NA
ALDICARB	116-06-3	0.7	0.12 E	0.7	0.12 E	70	12 E	70	12 E	700	120 E	700	120 E	NA
ALDRIN	309-00-2	0.00087	0.1 E	0.0037	0.44 E	0.087	10 E	0.37	44 E	0.087	10 E	0.37	44 E	10
ALLYL ALCOHOL	107-18-6	4.9	0.58 E	10	1.2 E	490	58 E	1,000	120 E	490	58 E	1,000	120 E	NA
AMINOBIPHENYL, 4-	92-67-1	0.0031	0.0012 E	0.012	0.0046 E	0.31	0.12 E	1.2	0.46 E	3.1	1.2 E	12	4.6 E	NA
AMITROLE	61-82-5	0.07	0.029 E	0.28	0.12 E	7	2.9 E	28	12 E	70	29 E	280	120 E	NA
AMMONIA	7664-41-7	3,000	360 E	3,000	360 E	10,000	10,000 C	10,000	10,000 C	3,000	360 E	3,000	360 E	NA
AMMONIUM SULFAMATE	7773-06-0	200	24 E	200	24 E	20,000	2,400 E	20,000	2,400 E	200	24 E	200	24 E	NA
ANILINE	62-53-3	0.28	0.16 E	0.58	0.34 E	28	16 E	58	34 E	0.28	0.16 E	0.58	0.34 E	NA
ANTHRACENE	120-12-7	6.6	350 E	6.6	350 E	6.6	350 E	6.6	350 E	6.6	350 E	6.6	350 E	10
ATRAZINE	1912-24-9	0.3	0.13 E	0.3	0.13 E	30	13 E	30	13 E	0.3	0.13 E	0.3	0.13 E	NA
BAYGON (PROPOXUR)	114-26-1	0.3	0.057 E	0.3	0.057 E	30	5.7 E	30	5.7 E	300	57 E	300	57 E	NA
BENOMYL	17804-35-2	180	880 E	200	970 E	200	970 E	200	970 E	180	880 E	200	970 E	20
BENTAZON	25057-89-0	110	16 E	310	45 E	11,000	1,600 E	31,000	4,500 E	110	16 E	310	45 E	NA
BENZENE	71-43-2	0.5	0.13 E	0.5	0.13 E	50	13 E	50	13 E	50	13 E	50	13 E	NA
BENZIDINE	92-87-5	0.00029	0.38 E	0.0011	1.5 E	0.029	38 E	0.11	150 E	0.29	380 E	1.1	1,500 E	5
BENZO[A]ANTHRACENE	56-55-3	0.09	79 E	0.36	320 E	1.1	960 E	1.1	960 E	1.1	960 E	1.1	960 E	5
BENZO[A]PYRENE	50-32-8	0.02	46 E	0.02	46 E	0.38	860 E	0.38	860 E	0.38	860 E	0.38	860 E	5
BENZO[B]FLUORANTHENE	205-99-2	0.09	120 E	0.12	170 E	0.12	170 E	0.12	170 E	0.12	170 E	0.12	170 E	5
BENZO[GHI]PERYLENE	191-24-2	0.026	180 E	0.026	180 E	0.026	180 E	0.026	180 E	0.026	180 E	0.026	180 E	5
BENZO[K]FLUORANTHENE	207-08-9	0.055	610 E	0.055	610 E	0.055	610 E	0.055	610 E	0.055	610 E	0.055	610 E	5
BENZOIC ACID	65-85-0	15,000	2,900 E	41,000	7,800 E	190,000	52,000 E	190,000	52,000 E	15,000	2,900 E	41,000	7,800 E	NA
BENZOTRICHLORIDE	98-07-7	0.0051	0.012 E	0.02	0.048 E	0.51	1.2 E	2	4.8 E	5.1	12 E	20	48 E	30
BENZYL ALCOHOL	100-51-6	1,100	400 E	3,100	1,100 E	10,000	10,000 C	10,000	10,000 C	1,100	400 E	3,100	1,100 E	NA
BENZYL CHLORIDE	100-44-7	0.087	0.051 E	0.37	0.22 E	8.7	5.1 E	37	22 E	8.7	5.1 E	37	22 E	NA
BHC, ALPHA	319-84-6	0.01	0.046 E	0.041	0.19 E	1	4.6 E	4.1	19 E	10	46 E	41	190 E	20
BHC, BETA	319-85-7	0.037	0.22 E	0.14	0.82 E	3.7	22 E	10	59 E	10	59 E	10	59 E	15
BHC, DELTA	319-86-8	2.2	11 E	6.1	30 E	220	1100 E	610	3,000 E	800	3,900 E	800	3,900 E	20
BHC, GAMMA (LINDANE)	58-89-9	0.02	0.072 E	0.02	0.072 E	2	7.2 E	2	7.2 E	20	72 E	20	72 E	20
BIPHENYL, 1,1-	92-52-4	180	790 E	510	2,200 E	720	3,100 E	720	3,100 E	720	3,100 E	720	3,100 E	20
BIS(2-CHLOROETHYL)ETHER	111-44-4	0.013	0.0039 E	0.055	0.017 E	1.3	0.39 E	5.5	1.7 E	1.3	0.39 E	5.5	1.7 E	NA
BIS(2-CHLORO-ISOPROPYL)ETHER	108-60-1	30	8 E	30	8 E	3,000	800 E	3,000	800 E	3,000	800 E	3,000	800 E	NA
BIS(CHLOROMETHYL)ETHER	542-88-1	0.000069	0.00001 E	0.00029	0.000044 E	0.0069	0.001 E	0.029	0.0044 E	0.0069	0.001 E	0.029	0.0044 E	NA
BIS[2-ETHYLHEXYL] PHTHALATE	117-81-7	0.6	130 E	0.6	130 E	29	6,300 E	29	6,300 E	29	6,300 E	29	6,300 E	10
BISPHENOL A	80-05-7	180	700 E	510	2,000 E	12,000	46,000 E	12,000	46,000 E	12,000	46,000 E	12,000	46,000 E	20
BROMACIL	314-40-9	8	2 E	8	2 E	800	200 E	800	200 E	8	2 E	8	2 E	NA
BROMOCHLOROMETHANE	74-97-5	9	1.6 E	9	1.6 E	900	160 E	900	160 E	9	1.6 E	9	1.6 E	NA
BROMODICHLOROMETHANE	75-27-4	10	3.4 E	10	3.4 E	1,000	340 E	1,000	340 E	10	3.4 E	10	3.4 E	NA
BROMOMETHANE	74-83-9	1	0.54 E	1	0.54 E	100	54 E	100	54 E	100	54 E	100	54 E	NA
BROMOXYNIL	1689-84-5	73	63 E	200	170 E	7,300	6,300 E	13,000	11,000 E	73	63 E	200	170 E	NA
BROMOXYNIL OCTANOATE	1689-99-2	8	360 E	8	360 E	8	360 E	8	360 E	8	360 E	8	360 E	15
BUTADIENE, 1,3-	106-99-0	0.015	0.0062 E	0.065	0.027 E	1.5	0.62 E	6.5	2.7 E	1.5	0.62 E	6.5	2.7 E	NA
BUTYL ALCOHOL, N-	71-36-3	97	12 E	200	24 E	9,700	1,200 E	10,000	2,400 E	970	120 E	2,000	240 E	NA
BUTYLATE	2008-41-5	35	51 E	35	51 E	3,500	5,100 E	3,500	5,100 E	35	51 E	35	51 E	30
BUTYLBENZENE, N-	104-51-8	150	950 E	410	2,600 E	1,500	9,500 E	1,500	9,500 E	150	950 E	410	2,600 E	15

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**B. Soil to Groundwater Numeric Values<sup>1</sup>**

REGULATED SUBSTANCE	CASRN	Used Aquifers								Non-Use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				Residential		Non-Residential		
		Residential		Non-Residential		Residential		Non-Residential		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
BUTYLBENZENE, SEC-	135-98-8	150	350 E	410	960 E	1,700	4,000 E	1,700	4,000 E	150	350 E	410	960 E	30
BUTYLBENZENE, TERT-	98-06-6	150	270 E	410	740 E	3,000	5,400 E	3,000	5,400 E	150	270 E	410	740 E	30
BUTYLBENZYL PHTHALATE	85-68-7	270	10,000 C	270	10,000 C	270	10,000 C	270	10,000 C	270	10,000 C	270	10,000 C	10
CAPTAN	133-06-2	19	12 E	50	31 E	50	31 E	50	31 E	50	31 E	50	31 E	NA
CARBARYL	63-25-2	70	41 E	70	41 E	7,000	4,100 E	7,000	4,100 E	12,000	7,000 E	12,000	7,000 E	NA
CARBAZOLE	86-74-8	3.3	21 E	13	83 E	120	760 E	120	760 E	120	760 E	120	760 E	15
CARBOFURAN	1563-66-2	4	0.87 E	4	0.87 E	400	87 E	400	87 E	4	0.87 E	4	0.87 E	NA
CARBON DISULFIDE	75-15-0	190	160 E	410	350 E	10,000	10,000 C	10,000	10,000 C	190	160 E	410	350 E	NA
CARBON TETRACHLORIDE	56-23-5	0.5	0.26 E	0.5	0.26 E	50	26 E	50	26 E	5	2.6 E	5	2.6 E	NA
CARBOXIN	5234-68-4	70	53 E	70	53 E	7,000	5,300 E	7,000	5,300 E	70	53 E	70	53 E	NA
CHLORAMBEN	133-90-4	10	1.6 E	10	1.6 E	1,000	160 E	1,000	160 E	10	1.6 E	10	1.6 E	NA
CHLORDANE	57-74-9	0.2	49 E	0.2	49 E	5.6	1,400 E	5.6	1,400 E	5.6	1,400 E	5.6	1,400 E	10
CHLORO-1,1-DIFLUOROETHANE, 1-CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	75-68-3	14,000	2,300 E	29,000	4,800 E	140,000	23,000 E	140,000	23,000 E	14,000	2,300 E	29,000	4,800 E	NA
CHLOROACETOPHENONE, 2-	107-05-1	0.28	0.065 E	0.58	0.13 E	28	6.5 E	58	13 E	28	6.5 E	58	13 E	NA
CHLOROANILINE, P-	532-27-4	0.031	0.0093 E	0.088	0.026 E	3.1	0.93 E	8.8	2.6 E	31	9.3 E	88	26 E	NA
CHLOROBENZENE	106-47-8	15	19 E	41	52 E	1,500	1,900 E	4,100	5,200 E	15	19 E	41	52 E	NA
CHLOROBENZILATE	108-90-7	10	6.1 E	10	6.1 E	1,000	610 E	1,000	610 E	1,000	610 E	1,000	610 E	NA
CHLOROBENZILATE	510-15-6	0.24	1.6 E	0.96	6.3 E	24	160 E	96	630 E	240	1600 E	960	6300 E	15
CHLOROBUTANE, 1-	109-69-3	1,500	2,300 E	4,100	6,400 E	10,000	10,000 C	10,000	10,000 C	1,500	2,300 E	4,100	6,400 E	30
CHLORODIBROMOMETHANE	124-48-1	10	3.2 E	10	3.2 E	1,000	320 E	1,000	320 E	1,000	320 E	1,000	320 E	NA
CHLORODIFLUOROMETHANE	75-45-6	10	2.6 E	10	2.6 E	1,000	260 E	1,000	260 E	10	3 E	10	3 E	NA
CHLOROETHANE	75-00-3	23	5 E	90	19 E	2,300	500 E	9,000	1,900 E	2,300	500 E	9,000	1,900 E	NA
CHLOROFORM	67-66-3	10	2.5 E	10	2.5 E	1,000	250 E	1,000	250 E	100	25 E	100	25 E	NA
CHLORONAPHTHALENE, 2-	91-58-7	290	6,200 E	820	18,000 E	1,200	26,000 E	1,200	26,000 E	290	6,200 E	820	18,000 E	15
CHLORONITROBENZENE, P-	100-00-5	3.7	4.9 E	14	18 E	370	490 E	1,400	1,800 E	4	5 E	14	18 E	NA
CHLOROPHENOL, 2-	95-57-8	4	4.4 E	4	4.4 E	400	440 E	400	440 E	4	4.4 E	4	4.4 E	NA
CHLOROPRENE	126-99-8	1.9	0.45 E	4.1	0.97 E	190	45 E	410	97 E	190	45 E	410	97 E	NA
CHLOROPROPANE, 2-	75-29-6	28	21 E	58	44 E	2,800	2,100 E	5,800	4,400 E	28	21 E	58	44 E	NA
CHLOROTHALONIL	1897-45-6	6	15 E	24	61 E	60	150 E	60	150 E	6	15 E	24	61 E	30
CHLOROTOLUENE, O-	95-49-8	10	20 E	10	20 E	1,000	2,000 E	1,000	2,000 E	10	20 E	10	20 E	30
CHLOROPYRIFOS	2921-88-2	2	23 E	2	23 E	110	1,300 E	110	1,300 E	2	23 E	2	23 E	15
CHLORSULFURON	64902-72-3	180	25 E	510	71 E	13,000	1,800 E	13,000	1,800 E	180	25 E	510	71 E	NA
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	40	650 E	40	650 E	50	820 E	50	820 E	50	820 E	50	820 E	15
CHRYSENE	218-01-9	0.19	230 E	0.19	230 E	0.19	230 E	0.19	230 E	0.19	230 E	0.19	230 E	5
CRESOL(S)	1319-77-3	18	3.1 E	51	8.9 E	1,800	310 E	5,100	890 E	1,800	310 E	5,100	890 E	NA
CRESOL, O- (METHYLPHENOL, 2-)	95-48-7	180	64 E	510	180 E	10,000	6,400 E	10,000	10,000 C	10,000	6,400 E	10,000	10,000 C	NA
CRESOL, M (METHYLPHENOL, 3-)	108-39-4	180	36 E	510	100 E	10,000	3,600 E	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	NA
CRESOL, P (METHYLPHENOL, 4-)	106-44-5	18	4.2 E	51	12 E	1,800	420 E	5,100	1,200 E	18,000	4,200 E	51,000	12,000 E	NA
CRESOL, P-CHLORO-M-	59-50-7	18	37 E	51	110 E	1,800	3,700 E	5,100	11,000 E	18	37 E	51	110 E	30
CROTONALDEHYDE	4170-30-3	0.0079	0.00099 E	0.034	0.0043 E	0.79	0.099 E	3.4	0.43 E	0.79	0.099 E	3.4	0.43 E	NA
CROTONALDEHYDE, TRANS-	123-73-9	0.0079	0.00099 E	0.034	0.0043 E	0.79	0.099 E	3.4	0.43 E	0.79	0.10 E	3.4	0.43 E	NA
CUMENE	98-82-8	110	780 E	230	1,600 E	5,000	10,000 C	5,000	10,000 C	5,000	10,000 C	5,000	10,000 C	15
CYCLOHEXANONE	108-94-1	4,900	1,400 E	10,000	2,800 E	10,000	10,000 C	10,000	10,000 C	4,900	1,400 E	10,000	2,800 E	NA
CYFLUTHRIN	68359-37-5	0.1	33 E	0.1	33 E	0.1	33 E	0.1	33 E	0.1	33 E	0.1	33 E	10
CYROMAZINE	66215-27-8	27	84 E	77	240 E	2,700	8,400 E	7,700	24,000 E	27	84 E	77	240 E	20
DDD, 4,4'-	72-54-8	0.062	6.8 E	0.27	30 E	6.2	680 E	16	1,800 E	6.2	680 E	16	1,800 E	10
DDE, 4,4'-	72-55-9	0.19	41 E	0.76	170 E	4	870 E	4	870 E	4	870 E	4	870 E	10
DDT, 4,4'-	50-29-3	0.19	110 E	0.55	330 E	0.55	330 E	0.55	330 E	0.55	330 E	0.55	330 E	5
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	40	10,000 C	40	10,000 C	4,000	10,000 C	4,000	10,000 C	10,000	10,000 C	10,000	10,000 C	5
DIALATE	2303-16-4	0.25	0.15 E	1	0.59 E	25	15 E	100	59 E	25	15 E	100	59 E	NA
DIAMINOTOLUENE, 2,4-	95-80-7	0.021	0.0042 E	0.081	0.016 E	2.1	0.42 E	8.1	1.6 E	21	4.2 E	81	16 E	NA
DIAZINON	333-41-5	0.06	0.082 E	0.06	0.082 E	6	8.2 E	6	8.2 E	0.06	0.082 E	0.06	0.082 E	30
DIBENZO[A,H]ANTHRACENE	53-70-3	0.009	41 E	0.036	160 E	0.06	270 E	0.06	270 E	0.06	270 E	0.06	270 E	5
DIBROMO-3-CHLOROPROPANE, 1,2-	96-12-8	0.02	0.0092 E	0.02	0.0092 E	2	0.92 E	2	0.92 E	2	0.92 E	2	0.92 E	NA
DIBROMOBENZENE, 1,4-	106-37-6	37	150 E	100	410 E	2,000	8,200 E	2,000	8,200 E	37	150 E	100	410 E	20
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.005	0.0012 E	0.005	0.0012 E	0.5	0.12 E	0.5	0.12 E	0.5	0.12 E	0.5	0.12 E	NA

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		TDS ≤ 2500				TDS > 2500				Residential		Non-Residential		
		Residential		Non-Residential		Residential		Non-Residential		Residential		Non-Residential		
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
DIBROMOMETHANE	74-95-3	9.7	3.7 E	20	7.7 E	970	370 E	2,000	770 E	970	370 E	2,000	770 E	NA
DIBUTYL PHTHALATE, N-	84-74-2	370	1,500 E	1,000	4100 E	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	20
DICHLORO-2-BUTENE, 1,4-	764-41-0	0.0016	0.0009 E	0.0069	0.0039 E	0.16	0.09 E	0.69	0.39 E	0.0016	0.0009 E	0.0069	0.0039 E	NA
DICHLOROBENZENE, 1,2-	95-50-1	60	59 E	60	59 E	6,000	5,900 E	6,000	5,900 E	6,000	5,900 E	6,000	5,900 E	NA
DICHLOROBENZENE, 1,3-	541-73-1	60	61 E	60	61 E	6,000	6,100 E	6,000	6,100 E	6,000	6,100 E	6,000	6,100 E	NA
DICHLOROBENZENE, P-	106-46-7	7.5	10 E	7.5	10 E	750	1,000 E	750	1,000 E	750	1,000 E	750	1,000 E	30
DICHLOROBENZIDINE, 3,3'-	91-94-1	0.15	8.3 E	0.58	32 E	15	830 E	58	3,200 E	150	8,300 E	310	17,000 E	10
DICHLORODIFLUOROMETHANE (FREON 12)	75-71-8	100	100 E	100	100 E	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	NA
DICHLOROETHANE, 1,1-	75-34-3	2.7	0.65 E	11	2.7 E	270	65 E	1,100	270 E	27	6.5 E	110	27 E	NA
DICHLOROETHANE, 1,2-	107-06-2	0.5	0.1 E	0.5	0.1 E	50	10 E	50	10 E	5	1 E	5	1 E	NA
DICHLOROETHYLENE, 1,1-	75-35-4	0.7	0.19 E	0.7	0.19 E	70	19 E	70	19 E	7	1.9 E	7	1.9 E	NA
DICHLOROETHYLENE, CIS-1,2-	156-59-2	7	1.6 E	7	1.6 E	700	160 E	700	160 E	70	16 E	70	16 E	NA
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	10	2.3 E	10	2.3 E	1,000	230 E	1,000	230 E	100	23 E	100	23 E	NA
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	0.5	0.076 E	0.5	0.076 E	50	7.6 E	50	7.6 E	50	7.6 E	50	7.6 E	NA
DICHLOROPHENOL, 2,4-	120-83-2	2	1 E	2	1 E	200	100 E	200	100 E	2,000	1,000 E	2,000	1,000 E	NA
DICHLOROPHENOXYACETIC ACID, 2,4- (2,4-D)	94-75-7	7	1.8 E	7	1.8 E	700	180 E	700	180 E	700	180 E	700	180 E	NA
DICHLOROPROPANE, 1,2-	78-87-5	0.5	0.11 E	0.5	0.11 E	50	11 E	50	11 E	5	1.1 E	5	1.1 E	NA
DICHLOROPROPENE, 1,3-	542-75-6	0.66	0.12 E	2.6	0.46 E	66	12 E	260	46 E	66	12 E	260	46 E	NA
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75-99-0	20	5.3 E	20	5.3 E	2,000	530 E	2,000	530 E	2,000	530 E	2,000	530 E	NA
DICHLORVOS	62-73-7	0.052	0.012 E	0.22	0.052 E	5.2	1.2 E	22	5.2 E	0.052	0.012 E	0.22	0.052 E	NA
DICYCLOPENTADIENE	77-73-6	0.055	0.12 E	0.12	0.26 E	5.5	12 E	12	26 E	0.055	0.12 E	0.12	0.26 E	30
DIELDRIN	60-57-1	0.0041	0.11 E	0.016	0.44 E	0.41	11 E	1.6	44 E	4.1	110 E	16	440 E	15
DIETHYL PHTHALATE	84-66-2	500	160 E	500	160 E	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	NA
DIFLUBENZURON	35367-38-5	20	52 E	20	52 E	20	52 E	20	52 E	20	52 E	20	52 E	20
DIMETHOATE	60-51-5	0.73	0.28 E	2	0.77 E	73	28 E	200	77 E	730	280 E	2,000	770 E	NA
DIMETHOXYBENZIDINE, 3,3-	119-90-4	4.7	16 E	19	64 E	470	1,600 E	1,900	6,400 E	4,700	16,000 E	6,000	20,000 E	20
DIMETHYLAMINOAZOBENZENE, P-	60-11-7	0.014	0.037 E	0.057	0.15 E	1.4	3.7 E	5.7	15 E	14	37 E	57	150 E	20
DIMETHYLANILINE, N,N-	121-69-7	7.3	4.1 E	20	11 E	730	410 E	2,000	1,100 E	730	410 E	2,000	1,100 E	NA
DIMETHYLBENZIDINE, 3,3-	119-93-7	0.0072	0.4 E	0.028	1.5 E	0.72	40 E	2.8	150 E	7.2	400 E	28	1,500 E	10
DIMETHYLPHENOL, 2,4-	105-67-9	73	32 E	200	87 E	7,300	3,200 E	10,000	8,700 E	10,000	10,000 C	10,000	10,000 C	NA
DINITROBENZENE, 1,3-	99-65-0	0.1	0.049 E	0.1	0.049 E	10	4.9 E	10	4.9 E	100	49 E	100	49 E	NA
DINITROPHENOL, 2,4-	51-28-5	1.9	0.21 E	4.1	0.46 E	190	21 E	410	46 E	19	2.1 E	41	4.6 E	NA
DINITROTOLUENE, 2,4-	121-14-2	0.21	0.05 E	0.84	0.2 E	21	5 E	84	20 E	210	50 E	840	200 E	NA
DINITROTOLUENE, 2,6- (2,6-DNT)	606-20-2	3.7	1.1 E	10	3 E	370	110 E	1,000	300 E	3,700	1,100 E	10,000	3,000 E	NA
DINOSEB	88-85-7	0.7	0.29 E	0.7	0.29 E	70	29 E	70	29 E	70	29 E	70	29 E	NA
DIOXANE, 1,4-	123-91-1	0.56	0.073 E	2.4	0.31 E	56	7.3 E	240	31 E	5.6	0.73 E	24	3.1 E	NA
DIPHENAMID	957-51-7	20	12 E	20	12 E	2,000	1,200 E	2,000	1,200 E	20	12 E	20	12 E	NA
DIPHENYLAMINE	122-39-4	20	12 E	20	12 E	2,000	1,200 E	2,000	1,200 E	20,000	12,000 E	20,000	12,000 E	NA
DIPHENYLHYDRAZINE, 1,2-	122-66-7	0.083	0.15 E	0.33	0.58 E	8.3	15 E	25	44 E	25	44 E	25	44 E	30
DIQUAT	85-00-7	2	0.24 E	2	0.24 E	200	24 E	200	24 E	2	0.24 E	2	0.24 E	NA
DISULFOTON	298-04-4	0.03	0.078 E	0.03	0.078 E	3	7.8 E	3	7.8 E	3	7.8 E	3	7.8 E	20
DIURON	330-54-1	1	0.86 E	1	0.86 E	100	86 E	100	86 E	1	0.86 E	1	0.86 E	NA
ENDOSULFAN	115-29-7	5.8	30 E	12	61 E	48	250 E	48	250 E	48	250 E	48	250 E	15
ENDOSULFAN I (ALPHA)	959-98-8	22	110 E	50	260 E	50	260 E	50	260 E	22	110 E	50	260 E	15
ENDOSULFAN II (BETA)	33213-65-9	22	130 E	45	260 E	45	260 E	45	260 E	22	130 E	45	260 E	15
ENDOSULFAN SULFATE	1031-07-8	12	70 E	12	70 E	12	70 E	12	70 E	12	70 E	12	70 E	15
ENDOTHALL	145-73-3	10	4.1 E	10	4.1 E	1,000	410 E	1,000	410 E	10	4.1 E	10	4.1 E	NA
ENDRIN	72-20-8	0.2	5.5 E	0.2	5.5 E	20	550 E	20	550 E	0.2	5.5 E	0.2	5.5 E	15
EPICHLOROHYDRIN	106-89-8	0.28	0.056 E	0.58	0.12 E	28	5.6 E	58	12 E	28	5.6 E	58	12 E	NA
ETHEPHON	16672-87-0	18	2.1 E	51	5.9 E	1,800	210 E	5,100	590 E	18	2.1 E	51	5.9 E	NA
ETHION	563-12-2	1.8	39 E	5.1	110 E	85	1,900 E	85	1,900 E	1.8	39 E	5.1	110 E	15
ETHOXYETHANOL, 2- (EGEE)	110-80-5	55	7.8 E	120	17 E	5,500	780 E	10,000	1,700 E	5,500	780 E	10,000	1,700 E	NA
ETHYL ACETATE	141-78-6	870	220 E	1,800	470 E	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	NA
ETHYL ACRYLATE	140-88-5	0.31	0.12 E	1.3	0.5 E	31	12 E	130	50 E	31	12 E	130	50 E	NA
ETHYL BENZENE	100-41-4	70	46 E	70	46 E	7,000	4,600 E	7,000	4,600 E	7,000	4,600 E	7,000	4,600 E	NA

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**B. Soil to Groundwater Numeric Values<sup>1</sup>**

REGULATED SUBSTANCE	CASRN	Used Aquifers								Non-Use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				Residential		Non-Residential		
		Residential		Non-Residential		Residential		Non-Residential		Residential		Non-Residential		
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
ETHYL DIPROPYLTHIOCARBAMATE, S- (EPTC)	759-94-4	91	65 E	260	180 E	9,100	6,500 E	10,000	10,000 C	91	65 E	260	180 E	NA
ETHYL ETHER	60-29-7	190	53 E	410	120 E	10,000	5,300 E	10,000	10,000 C	190	53 E	410	120 E	NA
ETHYL METHACRYLATE	97-63-2	87	14 E	180	30 E	8,700	1,400 E	18,000	3,000 E	87	14 E	180	30 E	NA
ETHYLENE GLYCOL	107-21-1	1,400	170 E	1,400	170 E	10,000	10,000 E	10,000	10,000 E	10,000	10,000 E	10,000	10,000 E	NA
ETHYLENE THIOUREA (ETU)	96-45-7	0.3	0.034 E	0.3	0.034 E	30	3.4 E	30	3.4 E	300	34 E	300	34 E	NA
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	0.037	0.12 E	0.1	0.31 E	3.7	12 E	10	31 E	0.037	0.12 E	0.1	0.31 E	20
FENAMIPHOS	22224-92-6	0.2	0.17 E	0.2	0.17 E	20	17 E	20	17 E	0.2	0.17 E	0.2	0.17 E	NA
FENVALERATE (PYDRIN)	51630-58-1	8.5	94 E	8.5	94 E	8.5	94 E	8.5	94 E	8.5	94 E	8.5	94 E	15
FLUOMETURON	2164-17-2	9	2.5 E	9	2.5 E	900	250 E	900	250 E	9	2.5 E	9	2.5 E	NA
FLUORANTHENE	206-44-0	26	3,200 E	26	3,200 E	26	3,200 E	26	3,200 E	26	3,200 E	26	3,200 E	10
FLUORENE	86-73-7	150	3,000 E	190	3,800 E	190	3,800 E	190	3,800 E	190	3,800 E	190	3,800 E	15
FLUOROTRICHLOROMETHANE (FREON 11)	75-69-4	200	87 E	200	87 E	10,000	8,700 E	10,000	8,700 E	10,000	8,700 E	10,000	8,700 E	NA
FONOFOS	944-22-9	1	2.9 E	1	2.9 E	100	290 E	100	290 E	1	2.9 E	1	2.9 E	20
FORMALDEHYDE	50-00-0	100	12 E	100	12 E	10,000	1,200 E	10,000	1,200 E	10,000	1,200 E	10,000	1,200 E	NA
FORMIC ACID	64-18-6	1,900	210 E	4,100	460 E	10,000	10,000 C	10,000	10,000 C	10,000	2,100 E	10,000	4,600 E	NA
FOSETYL-AL	39148-24-8	11,000	9,700 E	31,000	27,000 E	190,000	190,000 C	190,000	190,000 C	11,000	9,700 E	31,000	27,000 E	NA
FURAN	110-00-9	0.97	0.42 E	2	0.87 E	97	42 E	200	87 E	97	42 E	200	87 E	NA
FURFURAL	98-01-1	11	1.4 E	29	3.7 E	1,100	140 E	2,900	370 E	11	1.4 E	29	3.7 E	NA
GLYPHOSATE	1071-83-6	70	620 E	70	620 E	7,000	62,000 E	7,000	62,000 E	70	620 E	70	620 E	15
HEPTACHLOR	76-44-8	0.04	0.68 E	0.04	0.68 E	4	68 E	4	68 E	18	310 E	18	310 E	15
HEPTACHLOR EPOXIDE	1024-57-3	0.02	1.1 E	0.02	1.1 E	2	110 E	2	110 E	20	1,100 E	20	1,100 E	10
HEXACHLOROBENZENE	118-74-1	0.1	0.96 E	0.1	0.96 E	0.6	5.8 E	0.6	5.8 E	0.6	5.8 E	0.6	5.8 E	15
HEXACHLOROBUTADIENE	87-68-3	0.1	1.2 E	0.1	1.2 E	10	120 E	10	120 E	100	1,200 E	100	1,200 E	15
HEXACHLOROCYCLOPENTADIENE	77-47-4	5	91 E	5	91 E	180	3,300 E	180	3,300 E	180	3,300 E	180	3,300 E	15
HEXACHLOROETHANE	67-72-1	0.1	0.56 E	0.1	0.56 E	10	56 E	10	56 E	10	56 E	10	56 E	15
HEXANE	110-54-3	55	500 E	120	1,100 E	950	8,700 E	950	8,700 E	55	500 E	120	1,100 E	15
HEXYTHIAZOX (SAVEY)	78587-05-0	50	820 E	50	820 E	50	820 E	50	820 E	50	820 E	50	820 E	15
HYDRAZINE/HYDRAZINE SULFATE	302-01-2	0.00088	0.00098 E	0.0038	0.0042 E	0.088	0.0098 E	0.38	0.042 E	0.0088	0.00098 E	0.038	0.0042 E	NA
HYDROQUINONE	123-31-9	150	20 E	410	55 E	15,000	2,000 E	41,000	5,500 E	150,000	20,000 E	190,000	55,000 E	NA
INDENO1,2,3-CDPYRENE	193-39-5	0.09	7,000 E	0.36	28,000 E	6.2	190,000 C	6.2	190,000 C	6.2	190,000 C	6.2	190,000 C	5
IPRODIONE	36734-19-7	150	430 E	410	1,200 E	1,300	3,700 E	1,300	3,700 E	150	430 E	410	1,200 E	20
ISOBUTYL ALCOHOL	78-83-1	290	76 E	610	160 E	10,000	7,600 E	10,000	10,000 C	10,000	7,600 E	10,000	10,000 C	NA
ISOPHORONE	78-59-1	10	1.9 E	10	1.9 E	1,000	190 E	1,000	190 E	10,000	1,900 E	10,000	1,900 E	NA
KEPONE	143-50-0	0.0041	0.56 E	0.016	2.2 E	0.41	56 E	1.6	220 E	4.1	560 E	16	2,200 E	10
MALATHION	121-75-5	10	34 E	10	34 E	1,000	3,400 E	1,000	3,400 E	1,000	3,400 E	1,000	3,400 E	20
MALEIC HYDRAZIDE	123-33-1	400	47 E	400	47 E	40,000	4,700 E	40,000	4,700 E	400	47 E	400	47 E	NA
MANEB	12427-38-2	18	2 E	51	5.8 E	1,800	200 E	2,300	260 E	18	2 E	51	6 E	NA
MERPHOS OXIDE	78-48-8	0.11	15 E	0.31	41 E	11	1,500 E	31	4,100 E	0.11	15 E	0.31	41 E	10
METHACRYLONITRILE	126-98-7	0.19	0.031 E	0.41	0.067 E	19	3.1 E	41	6.7 E	0.19	0.031 E	0.41	0.067 E	NA
METHAMIDOPHOS	10265-92-6	0.18	0.022 E	0.51	0.063 E	18	2.2 E	51	6.3 E	0.18	0.022 E	0.51	0.063 E	NA
METHANOL	67-56-1	490	58 E	1,000	120 E	10,000	5,800 E	10,000	10,000 C	10,000	5,800 E	10,000	10,000 C	NA
METHOMYL	16752-77-5	20	3.2 E	20	3.2 E	2,000	320 E	2,000	320 E	20	3.2 E	20	3.2 E	NA
METHOXYCHLOR	72-43-5	4	630 E	4	630 E	4.5	710 E	4.5	710 E	4.5	710 E	4.5	710 E	10
METHOXYETHANOL, 2-	109-86-4	3.7	0.41 E	10	1.1 E	370	41 E	1,000	110 E	3.7	0.41 E	10	1.1 E	NA
METHYL ACETATE	79-20-9	3700	690 E	10,000	1,900 E	10,000	10,000 C	10,000	10,000 C	3,700	690 E	10,000	1,900 E	NA
METHYL ACRYLATE	96-33-3	110	27 E	310	77 E	10,000	2,700 E	10,000	7,700 E	10,000	2700 E	10,000	7,700 E	NA
METHYL CHLORIDE	74-87-3	0.3	0.038 E	0.3	0.038 E	30	3.8 E	30	3.8 E	30	3.8 E	30	3.8 E	NA
METHYL ETHYL KETONE	78-93-3	280	54 E	580	110 E	10,000	5,400 E	10,000	10,000 C	10,000	5,400 E	10,000	10,000 C	NA
METHYL ISOBUTYL KETONE	108-10-1	19	2.9 E	41	6.3 E	1,900	290 E	4,100	630 E	1,900	290 E	4,100	630 E	NA
METHYL METHACRYLATE	80-62-6	190	26 E	410	56 E	10,000	2,600 E	10,000	5,600 E	10,000	2,600 E	10,000	5,600 E	NA
METHYL METHANESULFONATE	66-27-3	0.67	0.083 E	2.6	0.32 E	67	8.3 E	260	32 E	0.67	0.083 E	2.6	0.32 E	NA
METHYL PARATHION	298-00-0	0.2	0.42 E	0.2	0.42 E	20	42 E	20	42 E	20	42 E	20	42 E	30
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	22	120 E	61	340 E	2,200	12,000 E	6,100	34,000 E	22	120 E	61	340 E	15
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	2	0.28 E	2	0.28 E	200	28 E	200	28 E	20	2.8 E	20	2.8 E	NA

**TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)**

**B. Soil to Groundwater Numeric Values<sup>1</sup>**

REGULATED SUBSTANCE	CASRN	Used Aquifers								Non-Use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				Residential		Non-Residential		
		Residential		Non-Residential		Residential		Non-Residential		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	0.51	3.9 E	2	15 E	51	390 E	200	1,500 E	0.51	3.9 E	2	15 E	15
METHYLNAPHTHALENE, 2-	91-57-6	73	2,900 E	200	8,000 E	2,500	10,000 C	2,500	10,000 C	73	2,900 E	200	8,000 E	15
METHYLSTYRENE, ALPHA	98-83-9	68	120 E	140	250 E	6,800	12,000 E	14,000	25,000 E	68	120 E	140	250 E	30
NAPHTHALENE	91-20-3	10	25 E	10	25 E	1,000	2,500 E	1,000	2,500 E	3,000	7,500 E	3,000	7,500 E	30
NAPHTHYLAMINE, 1-	134-32-7	0.037	0.3 E	0.14	1.1 E	3.7	30 E	14	110 E	37	300 E	140	1,100 E	15
NAPHTHYLAMINE, 2-	91-59-8	0.037	0.012 E	0.14	0.046 E	3.7	1.2 E	14	4.6 E	37	12 E	140	46 E	NA
NAPROPAMIDE	15299-99-7	370	860 E	1,000	2,300 E	7,000	16,000 E	7,000	16,000 E	370	860 E	1,000	2,300 E	30
NITROANILINE, M-	99-09-2	0.21	0.033 E	0.58	0.091 E	21	3.3 E	58	9.1 E	0.21	0.033 E	0.58	0.091 E	NA
NITROANILINE, O-	88-74-4	0.21	0.038 E	0.58	0.1 E	21	3.8 E	58	10 E	0.21	0.038 E	0.58	0.1 E	NA
NITROANILINE, P-	100-01-6	0.21	0.031 E	0.58	0.086 E	21	3.1 E	58	8.6 E	0.21	0.031 E	0.58	0.086 E	NA
NITROBENZENE	98-95-3	1.8	0.79 E	5.1	2.2 E	180	79 E	510	220 E	1,800	790 E	5,100	2,200 E	NA
NITROPHENOL, 2-	88-75-5	29	5.9 E	82	17 E	2,900	590 E	8,200	1,700 E	29,000	5,900 E	82,000	17,000 E	NA
NITROPHENOL, 4-	100-02-7	6	4.1 E	6	4.1 E	600	410 E	600	410 E	6,000	4,100 E	6,000	4,100 E	NA
NITROPROPANE, 2-	79-46-9	0.0016	0.00026 E	0.0068	0.0011 E	0.16	0.026 E	0.68	0.11 E	0.016	0.0026 E	0.068	0.011 E	NA
NITROSODIETHYLAMINE, N-	55-18-5	0.0001	0.000018 E	0.00043	0.000076 E	0.01	0.0018 E	0.043	0.0076 E	0.001	0.00018 E	0.0043	0.00076 E	NA
NITROSODIMETHYLAMINE, N-	62-75-9	0.00031	0.000041 E	0.0013	0.00017 E	0.031	0.0041 E	0.13	0.017 E	0.0031	0.00041 E	0.013	0.0017 E	NA
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3	0.0027	0.0033 E	0.011	0.014 E	0.27	0.33 E	1.1	1.4 E	0.27	0.33 E	1.1	1.4 E	NA
NITROSODI-N-PROPYLAMINE, N-	621-64-7	0.0094	0.0013 E	0.037	0.0051 E	0.94	0.13 E	3.7	0.51 E	9.4	1.3 E	37	5.1 E	NA
NITROSODIPHENYLAMINE, N-	86-30-6	13	20 E	53	83 E	1,300	2,000 E	3,500	5,500 E	3,500	5,500 E	3,500	5,500 E	30
NITROSO-N-ETHYLUREA, N-	759-73-9	0.00047	0.000054 E	0.0019	0.00022 E	0.047	0.0054 E	0.19	0.022 E	0.047	0.0054 E	0.19	0.022 E	NA
OCTYL PHTHALATE, DI-N-	117-84-0	73	10,000 C	200	10,000 C	300	10,000 C	300	10,000 C	300	10,000 C	300	10,000 C	5
OXAMYL (VYDATE)	23135-22-0	20	2.6 E	20	2.6 E	2,000	260 E	2,000	260 E	20	2.6 E	20	2.6 E	NA
PARATHION	56-38-2	22	130 E	61	360 E	2,000	10,000 C	2,000	10,000 C	22	130 E	61	360 E	15
PCB-1016 (AROCLOR)	12674-11-2	0.26	72 E	0.72	200 E	25	6,900 E	25	6,900 E	0.26	72 E	0.72	200 E	10
PCB-1221 (AROCLOR)	11104-28-2	0.13	0.63 E	0.52	2.5 E	13	63 E	52	250 E	0.13	0.63 E	0.52	2.5 E	20
PCB-1232 (AROCLOR)	11141-16-5	0.13	0.5 E	0.52	2 E	13	50 E	52	200 E	0.13	0.5 E	0.52	2 E	20
PCB-1242 (AROCLOR)	53469-21-9	0.13	16 E	0.52	62 E	10	1,200 E	10	1,200 E	0.13	16 E	0.52	62 E	10
PCB-1248 (AROCLOR)	12672-29-6	0.037	18 E	0.14	67 E	4	1,800 E	5	2,600 E	0.04	18 E	0.14	67 E	10
PCB-1254 (AROCLOR)	11097-69-1	0.037	75 E	0.14	280 E	4	7,500 E	6	10,000 C	0.04	75 E	0.14	280 E	5
PCB-1260 (AROCLOR)	11096-82-5	0.11	500 E	0.43	1,900 E	8	36,000 E	8	36,000 E	0.11	500 E	0.43	1,900 E	5
PEBULATE	1114-71-2	180	300 E	510	860 E	9,200	10,000 C	9,200	10,000 C	180	300 E	510	860 E	30
PENTACHLOROBENZENE	608-93-5	2.9	230 E	8.2	660 E	74	5,900 E	74	5,900 E	74	5,900 E	74	5,900 E	10
PENTACHLORONITROBENZENE	82-68-8	0.25	5 E	1	20 E	25	500 E	44	870 E	44	870 E	44	870 E	15
PENTACHLOROPHENOL	87-86-5	0.1	5 E	0.1	5 E	10	500 E	10	500 E	100	5,000 E	100	5,000 E	10
PHENACETIN	62-44-2	30	12 E	120	46 E	3,000	1,200 E	12,000	4,600 E	30,000	12,000 E	76,000	29,000 E	NA
PHENANTHRENE	85-01-8	110	10,000 E	110	10,000 E	110	10,000 E	110	10,000 E	110	10,000 E	110	10,000 E	10
PHENOL	108-95-2	400	66 E	400	66 E	40,000	6,600 E	40,000	6,600 E	40,000	6,600 E	40,000	6,600 E	NA
PHENYLENEDIAMINE, M-	108-45-2	22	3.1 E	61	8.6 E	2,200	310 E	6,100	860 E	22,000	3,100 E	61,000	8,600 E	NA
PHENYLPHENOL, 2-	90-43-7	34	490 E	130	1,900 E	3,400	49,000 E	13,000	190,000 E	34,000	490,000 C	70,000	190,000 C	15
PHORATE	298-02-2	0.19	0.41 E	0.41	0.88 E	19	41 E	41	88 E	0.19	0.41 E	0.41	0.88 E	30
PHTHALIC ANHYDRIDE	85-44-9	7,300	2,300 E	20,000	6,200 E	190,000	190,000 C	190,000	190,000 C	190,000	190,000 C	190,000	190,000 C	NA
PICLORAM	1918-02-1	50	7.4 E	50	7.4 E	5,000	740 E	5,000	740 E	50	7.4 E	50	7.4 E	NA
PRONAMIDE	23950-58-5	5	3.1 E	5	3.1 E	500	310 E	500	310 E	5	3.1 E	5	3.1 E	NA
PROPANIL	709-98-8	18	9.2 E	51	26 E	1,800	920 E	5,100	2,600 E	18	9 E	51	26 E	NA
PROPHAM	122-42-9	73	17 E	200	48 E	7,300	1,700 E	20,000	4,800 E	73	17 E	200	48 E	NA
PROPYLBENZENE, N-	103-65-1	150	290 E	410	780 E	5,200	9,900 E	5,200	9,900 E	150	290 E	410	780 E	30
PROPYLENE OXIDE	75-56-9	0.28	0.049 E	1.1	0.19 E	28	4.9 E	110	19 E	0.28	0.049 E	1.1	0.19 E	NA
PYRENE	129-00-0	13	2,200 E	13	2,200 E	13	2,200 E	13	2,200 E	13	2,200 E	13	2,200 E	10
PYRIDINE	110-86-1	0.97	0.11 E	2	0.22 E	97	11 E	200	22 E	9.7	1.1 E	20	2.2 E	NA
QUINOLINE	91-22-5	0.0055	0.018 E	0.022	0.074 E	0.55	1.8 E	2.2	7.4 E	5.5	18 E	22	74 E	20
QUIZALOFOP (ASSURE)	76578-14-8	30	47 E	30	47 E	30	47 E	30	47 E	30	47 E	30	47 E	30
RONNEL	299-84-3	180	280 E	510	800 E	4,000	6,200 E	4,000	6,200 E	180	280 E	510	800 E	30
SIMAZINE	122-34-9	0.4	0.15 E	0.4	0.15 E	40	15 E	40	15 E	0.4	0.15 E	0.4	0.15 E	NA
STRYCHNINE	57-24-9	1.1	0.89 E	3.1	2.5 E	110	89 E	310	250 E	1,100	890 E	3,100	2,500 E	NA
STYRENE	100-42-5	10	24 E	10	24 E	1,000	2,400 E	1,000	2,400 E	1,000	2,400 E	1,000	2,400 E	30
TEBUTHIURON	34014-18-1	50	83 E	50	83 E	5,000	8,300 E	5,000	8,300 E	50	83 E	50	83 E	30
TERBACIL	5902-51-2	9	2.2 E	9	2.2 E	900	220 E	900	220 E	9	2.2 E	9	2.2 E	NA
TERBUFOS	13071-79-9	0.09	0.12 E	0.09	0.12 E	9	12 E	9	12 E	0.09	0.12 E	0.09	0.12 E	30



TABLE 3—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR ORGANIC REGULATED SUBSTANCES IN SOIL (Continued)

B. Soil to Groundwater Numeric Values<sup>1</sup>

REGULATED SUBSTANCE	CASRN	Used Aquifers								Non-Use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				Residential		Non-Residential		
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	7	18 E	7	18 E	700	1,800 E	700	1,800 E	700	1,800 E	700	1,800 E	30
TETRACHLOROETHANE, 1,1,2,2-	79-34-5	0.03	0.0093 E	0.03	0.0093 E	3	0.93 E	3	0.93 E	3	0.93 E	3	0.93 E	NA
TETRACHLOROETHYLENE (PCE)	127-18-4	0.5	0.43 E	0.5	0.43 E	50	43 E	50	43 E	5	4.3 E	5	4.3 E	NA
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	29	450 E	61	950 E	2,900	45,000 E	6,100	95,000 E	2,900	45,000 E	6,100	95,000 E	15
TETRAETHYL LEAD	78-00-2	0.00037	0.0046 E	0.001	0.012 E	0.037	0.46 E	0.1	1.2 E	0.37	4.6 E	1	12 E	15
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	0.49	0.73 E	1	1.5 E	49	73 E	100	150 E	0.49	0.73 E	1	1.5 E	30
THIOFANOX	39196-18-4	1.1	0.12 E	3.1	0.34 E	110	12 E	310	34 E	1.1	0.12 E	3.1	0.34 E	NA
THIRAM	137-26-8	18	47 E	51	130 E	1,800	4,700 E	3,000	7,800 E	18	47 E	51	130 E	20
TOLUENE	108-88-3	100	44 E	100	44 E	10,000	4,400 E	10,000	4,400 E	10,000	4,400 E	10,000	4,400 E	NA
TOLUIDINE, M-	108-44-1	0.28	0.13 E	1.1	0.51 E	28	13 E	110	51 E	0.28	0.13 E	1.1	0.51 E	NA
TOLUIDINE, O-	95-53-4	0.28	0.32 E	1.1	1.2 E	28	32 E	110	120 E	280	320 E	1,100	1,200 E	NA
TOLUIDINE, P-	106-49-0	0.35	0.32 E	1.4	1.3 E	35	32 E	140	130 E	0.35	0.32 E	1.4	1.3 E	NA
TOXAPHENE	8001-35-2	0.3	1.2 E	0.3	1.2 E	30	120 E	30	120 E	0.3	1.2 E	0.3	1.2 E	20
TRIALATE	2303-17-5	47	240 E	130	660 E	400	2,000 E	400	2,000 E	47	240 E	130	660 E	15
TRIBROMOMETHANE (BROMOFORM)	75-25-2	10	4.4 E	10	4.4 E	1,000	440 E	1,000	440 E	1,000	440 E	1,000	440 E	NA
TRICHLORO-1,2,2-TRIFLUOROETHANE, 1,1,2-	76-13-1	8,300	26,000 E	17,000	53,000 E	17,000	53,000 E	17,000	53,000 E	17,000	53,000 E	17,000	53,000 E	20
TRICHLOROETHANE, 1,2,4-	120-82-1	7	27 E	7	27 E	700	2,700 E	700	2,700 E	4,400	10,000 C	4,400	10,000 C	20
TRICHLOROETHANE, 1,3,5-	108-70-3	4	31 E	4	31 E	400	3,100 E	400	3,100 E	4	31 E	4	31 E	15
TRICHLOROETHANE, 1,1,1-	71-55-6	20	7.2 E	20	7.2 E	2,000	720 E	2,000	720 E	200	72 E	200	72 E	NA
TRICHLOROETHANE, 1,1,2-	79-00-5	0.5	0.15 E	0.5	0.15 E	50	15 E	50	15 E	5	1.5 E	5	1.5 E	NA
TRICHLOROETHYLENE (TCE)	79-01-6	0.5	0.17 E	0.5	0.17 E	50	17 E	50	17 E	5	1.7 E	5	1.7 E	NA
TRICHLOROPHENOL, 2,4,5-	95-95-4	370	2,300 E	1,000	6,100 E	37,000	190,000 C	100,000	190,000 C	100,000	190,000 C	100,000	190,000 C	15
TRICHLOROPHENOL, 2,4,6-	88-06-2	1.1	3.1 E	3.1	8.9 E	110	310 E	310	890 E	1,100	3,100 E	3,100	8,900 E	20
TRICHLOROPHENOXYACETIC ACID, 2,4,5- (2,4,5-T)	93-76-5	7	1.5 E	7	1.5 E	700	150 E	700	150 E	7,000	1,500 E	7,000	1,500 E	NA
TRICHLOROPHENOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)(SILVEX)	93-72-1	5	22 E	5	22 E	500	2,200 E	500	2,200 E	5	22 E	5	22 E	20
TRICHLOROPROPANE, 1,1,2-	598-77-6	18	3.1 E	51	8.7 E	1,800	310 E	5,100	870 E	18	3.1 E	51	8.7 E	NA
TRICHLOROPROPANE, 1,2,3-	96-18-4	4	3.2 E	4	3.2 E	400	320 E	400	320 E	400	320 E	400	320 E	NA
TRICHLOROPROPENE, 1,2,3-	96-19-5	18	11 E	51	30 E	1,800	1,100 E	5,100	3,000 E	18	11 E	51	30 E	NA
TRIFLURALIN	1582-09-8	0.5	0.96 E	0.5	0.96 E	50	96 E	50	96 E	0.5	0.96 E	0.5	0.96 E	30
TRIMETHYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	95-63-6	1.6	9 E	3.5	20 E	160	900 E	350	2,000 E	160	900 E	350	2,000 E	15
TRIMETHYLBENZENE, 1,3,5-	108-67-8	1.6	2.8 E	3.5	6.2 E	160	280 E	350	620 E	1.6	2.8 E	3.5	6.2 E	30
TRINITROTOLUENE, 2,4,6-	118-96-7	0.2	0.023 E	0.2	0.023 E	20	2.3 E	20	2.3 E	0.2	0.023 E	0.2	0.023 E	NA
VINYLAETATE	108-05-4	55	6.5 E	120	14 E	5,500	650 E	10,000	1,400 E	55	6.5 E	120	14 E	NA
VINYL BROMIDE (BROMOETHENE)	593-60-2	0.14	0.068 E	0.58	0.28 E	14	6.8 E	58	28 E	1.4	0.68 E	5.8	2.8 E	NA
VINYL CHLORIDE	75-01-4	0.2	0.027 E	0.2	0.027 E	20	2.7 E	20	2.7 E	2	0.27 E	2	0.27 E	NA
WARFARIN	81-81-2	1.1	2.6 E	3.1	7.4 E	110	260 E	310	740	1,100	2,600	1,700	4,100	30
XYLENES (TOTAL)	1330-20-7	1,000	990 E	1,000	990 E	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	10,000	10,000 C	NA
ZINEB	12122-67-7	180	29 E	510	81 E	1,000	160 E	1,000	160 E	180	29 E	510	81 E	NA

<sup>1</sup>For other options see § 250.308

All concentrations in mg/kg

E - Number calculated by the soil to groundwater equation in § 250.308

C - Cap

NA - The soil buffer distance option is not available for this substance

**TABLE 4—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR  
INORGANIC REGULATED SUBSTANCES IN SOIL**

**A. Direct Contract Numeric Values**

REGULATED SUBSTANCE	CASRN	Residential MSC  0-15 feet	Non-Residential MSCs	
			Surface Soil 0-2 feet	Subsurface Soil 2-15 feet
ALUMINUM	7429-90-5	190,000 C	190,000 C	190,000 C
ANTIMONY	7440-36-0	88 G	1,100 G	190,000 C
ARSENIC	7440-38-2	12 G	53 G	190,000 C
BARIUM AND COMPOUNDS	7440-39-3	15,000 G	190,000 C	190,000 C
BERYLLIUM	7440-41-7	440 G	5,600 G	190,000 C
BORON AND COMPOUNDS	7440-42-8	20,000 G	190,000 C	190,000 C
CADMIUM	7440-43-9	47 G	210 G	190,000 C
CHROMIUM III	16065-83-1	190,000 C	190,000 C	190,000 C
CHROMIUM VI	18540-29-9	94 G	420 G	190,000 C
COBALT	7440-48-4	4,400 G	56,000 G	190,000 C
COPPER	7440-50-8	8,200 G	100,000 G	190,000 C
CYANIDE, FREE	57-12-5	4,400 G	56,000 G	190,000 C
IRON	7439-89-6	66,000 G	190,000 C	190,000 C
LEAD	7439-92-1	500 U	1,000 S	190,000 C
MANGANESE	7439-96-5	31,000 G	190,000 G	190,000 C
MERCURY	7439-97-6	66 G	840 G	190,000 C
NICKEL	7440-02-0	4,400 G	56,000 G	190,000 C
SELENIUM	7782-49-2	1,100 G	14,000 G	190,000 C
SILVER	7440-22-4	1,100 G	14,000 G	190,000 C
THALLIUM	7440-28-0	15 G	200 G	190,000 C
TIN	7440-31-5	130,000 G	190,000 C	190,000 C
VANADIUM	7440-62-2	1,500 G	20,000 G	190,000 C
ZINC	7440-66-6	66,000 G	190,000 C	190,000 C

All concentrations in mg/kg [except asbestos, which is in fibers/kg]

- R - Residential
- NR - Non-Residential
- G - Ingestion
- H - Inhalation
- C - Cap
- U - UBK Model
- S - SEGH Model
- NA - Not Applicable

**TABLE 4—MEDIUM-SPECIFIC CONCENTRATIONS (MSCs) FOR INORGANIC REGULATED SUBSTANCES IN SOIL**  
**B. Soil to Groundwater Numeric Values<sup>1</sup>**

REGULATED SUBSTANCE	CASRN	Used Aquifers								Non-use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				R		N		
		R		N		R		N		R		N		
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
ALUMINUM	7429-90-5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
ANTIMONY	7440-36-0	0.6	27	0.6	27	60	2,700	60	2,700	600	27,000	600	27,000	15
ARSENIC	7440-38-2	5	150	5	150	500	15,000	500	15,000	5,000	150,000	5,000	150,000	15
BARIUM AND COMPOUNDS	7440-39-3	200	8,200	200	8,200	20,000	190,000	20,000	190,000	190,000	190,000	190,000	190,000	15
BERYLLIUM	7440-41-7	0.4	320	0.4	320	40	32,000	40	32,000	400	190,000	400	190,000	10
BORON AND COMPOUNDS	7440-42-8	60	6.7	60	6.7	6,000	670	6,000	670	60,000	6,700	60,000	6,700	NA
CADMIUM	7440-43-9	0.5	38	0.5	38	50	3,800	50	3,800	500	38,000	500	38,000	15
CHROMIUM III	16065-83-1	10	190,000	10	190,000	1,000	190,000	1,000	190,000	10,000	190,000	10,000	190,000	5
CHROMIUM VI	18540-29-9	10	190	10	190	1,000	19,000	1,000	19,000	10,000	190,000	10,000	190,000	15
COBALT	7440-48-4	73	8.1	200	22	7,300	810	20,000	2,200	73,000	8,100	190,000	22,000	NA
COPPER	7440-50-8	100	36,000	100	36,000	10,000	190,000	10,000	190,000	100,000	190,000	100,000	190,000	10
CYANIDE, FREE	57-12-5	20	200	20	200	2,000	20,000	2,000	20,000	20,000	190,000	20,000	190,000	20
IRON	7439-89-6	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
LEAD	7439-92-1	0.5	450	0.5	450	50	45,000	50	45,000	500	190,000	500	190,000	10
MANGANESE	7439-96-5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
MERCURY	7439-97-6	0.2	10	0.2	10	20	1,000	20	1,000	200	10,000	200	10,000	15
NICKEL	7440-02-0	10	650	10	650	1,000	65,000	1,000	65,000	10,000	190,000	10,000	190,000	15
SELENIUM	7782-49-2	5	26	5	26	500	2,600	500	2,600	5,000	26,000	5,000	26,000	20
SILVER	7440-22-4	10	84	10	84	1,000	8,400	1,000	8,400	10,000	84,000	10,000	84,000	20
THALLIUM	7440-28-0	0.2	14	0.20	14	20	1,400	20	1,400	200	14,000	200	14,000	15
TIN	7440-31-5	2,200	240	6,100	680	190,000	24,000	190,000	68,000	190,000	190,000	190,000	190,000	NA
VANADIUM	7440-62-2	26	26,000	72	72,000	2,600	190,000	7,200	190,000	26,000	190,000	72,000	190,000	5
ZINC	7440-66-6	200	12,000	200	12,000	20,000	190,000	20,000	190,000	190,000	190,000	190,000	190,000	15

<sup>1</sup>For other options see Section 250.308  
 All concentrations in mg/kg  
 R - Residential  
 NR - Non-Residential  
 G - Ingestion  
 H - Inhalation  
 C - Cap  
 U - UBK Model  
 S - SEGH Model  
 NA - Not Applicable

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-I	RfDi (mg/kg-d)	CSFi (mg/kg-d)-I	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
ACENAPHTHENE	83-32-9	0.06 I		0.06 Ir		4900		3.8	1,5,6				279	1.24
ACENAPHTHYLENE	208-96-8	0.06 S		0.06 S		4500		16.1	5,6,7				280	2.11
ACEPHATE	30560-19-1	0.004	0.0087			3		818000	6					
ACETALDEHYDE	75-07-0		0.0077 Ir	0.0026 I	0.0077 I	4.1	X	1000000	1	13100	15100	X	20	
ACETONE	67-64-1	0.1 I		8.86 D		0.31	X	1000000	1	13100	15000	X	56	18.07
ACETONITRILE	75-05-8			0.017 I		0.5	X	1000000	1	13100	15000	X	82	4.50
ACETOPHENONE	98-86-2	0.1 I		0.1 Ir		170		5500	1			X	203	
ACETYLAMINO-FLUORENE, 2- (2AAF)	53-96-3		3.8 C		3.8 C	1600		10.13	7				303	0.69
ACROLEIN	107-02-8	0.02 H		0.0000057 I		0.56	X	208000	1,2,4	13100	15100	X	53	4.50
ACRYLAMIDE	79-06-1	0.0002 I	4.5 Ir	0.0002 Ir	4.55 I	25	X	2151000	4			X	192.6	
ACRYLIC ACID	79-10-7	0.5 I		0.000286 I		29	X	1000000	2	13000	14900	X	141	1.39
ACRYLONITRILE	107-13-1	0.001 H	0.54 I	0.000571 I	0.238 I	11	X	73500	1	13100	15100	X	77	5.50
ALACHLOR	15972-60-8	0.01 I	0.08 H	0.01	0.08 Hr	110		140	2				100	
ALDICARB	116-06-3	0.001 I		0.001 Ir		22		6000	2				287	0.40
ALDRIN	309-00-2	0.00003 I	17 I	0.00003 Ir	17.15 I	48000		0.02	4,5,6				145	0.22
ALLYL ALCOHOL	107-18-6	0.005 I		0.005 Ir		3.2	X	1000000	2	13100	15000	X	97	18.07
AMINOBIIPHENYL, 4-	92-67-1		21 C		21 C	110		1200	5				302	18.07
AMITROLE	61-82-5		0.94 C		0.945 C	120		280000	4				200	0.69
AMMONIA	7664-41-7	0.97 H		0.0286 I		3	X	310000	2,5,7	13100	15000	X	-33.3	
AMMONIUM SULFAMATE	7773-06-0	0.2 I		0.2		3		2160000	10				200	
ANILINE	62-53-3	0.007 N	0.0057 I	0.000286 I	0.0056 C	190	X	33800	1	13000	14900	X	184	
ANTHRACENE	120-12-7	0.3 I		0.3		21000		0.066	1,5,6,7,8,9				340	0.28
ATRAZINE	1912-24-9	0.035 I	0.222 H	0.035	0.222 Hr	130		70	2,4,5				200	
BAYGON (PROPOXUR)	114-26-1	0.004 I		0.004		31		2000	2,4,5				decomp.	4.50
BENOMYL	17804-35-2	0.05 I				1,900		2	5					
BENTAZON	25057-89-0	0.03 I				13		500	2					
BENZENE	71-43-2	0.003 N	0.029 I	0.0017 N	0.027 I	58	X	1780.5	1,2,3,4	13100	15000	X	81	0.35
BENZIDINE	92-87-5	0.003 I	230 I	0.003	230 I	530,000		520	1,2,4				400	15.81
BENZO[A]ANTHRACENE	56-55-3		0.73 N		0.31 T	350000		0.011	1,5,6				438	0.19
BENZO[A]PYRENE	50-32-8		7.3 I		3.1 N	910000		0.0038	1,5,6				495	0.24
BENZO[B]FLUOR-ANTHENE	205-99-2		0.73 N		0.31 T	550000		0.0012	5,6,7				357	0.21
BENZO[G]H]PERYLENE	191-24-2	0.06 S		0.06 S		2800000		0.00026	1,5,6				500	0.19
BENZOK[F]LUOR-ANTHENE	207-08-9		0.073 N		0.031 T	4400000		0.00055	5,6,7				480	0.06
BENZOIC ACID	65-85-0	4 I		4 Ir		32		2700	2,3,4,5				249	
BENZOTRICHLORIDE	98-07-7		13 I			920		53	1,5,13			X	220.8	121413.60
BENZYL ALCOHOL	100-51-6	0.3 H		0.3 Hr		100		40000	1,2,3			X	205	
BENZYL CHLORIDE	100-44-7		0.17 I		0.1715 C	190	X	493	1	13000	15000	X	179	20.90

TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)

## A. Organic Regulated Substances

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
BHC, ALPHA	319-84-6	0.008 D	6.3 I	0.0006 S	6.3 I	1800		1.7	4,5,6,7				288	0.94
BHC, BETA-	319-85-7	0.0006 D	1.8 I	0.0006 Dr	1.855 I	2300		0.1	6				60	1.02
BHC, DELTA-	319-86-8	0.0006 S		0.0006 S		1900		8	6				60	1.26
BHC, GAMMA (LINDANE)	58-89-9	0.0003 I	1.3 H	0.0003 Ir	1.085 C	1400		7.3	4,5,6				323	1.05
BIPHENYL, 1,1-	92-52-4	0.05 I		0.05 Ir		1,700		7.2	1				255	18.07
BIS(2-CHLOROETHYL) ETHER	111-44-4		1.1 I		1.155 I	76	X	10200	1,4,5	13000	14900	X	179	0.69
BIS(2-CHLORO-ISO- PROPYL)ETHER	108-60-1	0.04 I	0.07 H	0.04 Ir	0.035 H	62	X	1700	5	13000	14900	X	189	0.69
BIS(CHLOROMETHYL) ETHER	542-88-1		220 I		217 I	16	X	22000	6	13100	15100	X	105	57270.57
BIS[2-ETHYLHEXYL] PHTHALATE	117-81-7	0.02 I	0.014 I	0.02 Ir	0.014 N	87000		0.285	4,5,6			X	384	0.65
BISPHENOL A	80-05-7	0.05 I				1,500		120	4				220	0.69
BROMACIL	314-40-9	0.1 M				58		815	2					
BROMOCHLORO- METHANE	74-97-5	0.01 M				27	X	16700	4	13100	15000	X	68	
BROMODICHLORO- METHANE	75-27-4	0.02 I	0.062 I	0.02 Ir	0.1295 C	93	X	4500	6	13100	15000	X	87	
BROMOMETHANE	74-83-9	0.0014 I		0.0014 I		170	X	17500	2	13100	15000	X	4	6.66
BROMOXYNIL	1689-84-5	0.02 I				300		130	2					
BROMOXYNIL OCTANOATE	1689-99-2	0.02 I				18,000		0.08	12					5.75
BUTADIENE, 1,3-	106-99-0		3.4 C		0.98 I	120		735	1				-4.5	4.50
BUTYL ALCOHOL, N-	71-36-3	0.1 I		0.1 Ir		3.2	X	74000	1	13000	14900	X	118	4.68
BUTYLATE	2008-41-5	0.05 I				540	X	45	2	13200	15200	X	138 N	
BUTYLBENZENE, N-	104-51-8	0.04 N				2,500	X	15	1,6,7	13100	15100	X	183.1	
BUTYLBENZENE, SEC-	135-98-8	0.04 N				890	X	17	1,6,7	13100	15000	X	173.5	
BUTYLBENZENE, TERT-	98-06-6	0.04 N				680	X	30	1,6,7	13100	15000	X	169	
BUTYLBENZYL PHTHALATE	85-68-7	0.2 I		0.2 Ir		34000		2.69	4,5,6			X	370	1.39
CAPTAN	133-06-2	0.13 I	0.0035 H	0.13 Ir	0.00231 C	200		0.5	4				259	589.39
CARBARYL	63-25-2	0.1 I		0.1 Ir		190		120	2,4,5				315	4.22
CARBAZOLE	86-74-8		0.02 H			2,500		1.2	1,5,6				355	
CARBOFURAN	1563-66-2	0.005 I		0.005 Ir		43		700	2				200	
CARBON DISULFIDE	75-15-0	0.1 I		0.2 I		300	X	2100	1,2,3	13100	15100	X	46	
CARBON TETRACHLORIDE	56-23-5	0.0007 I	0.13 I	0.00057 N	0.0525 I	160	X	795	1,2,3	13100	15000	X	77	0.07
CARBOXIN	5234-68-4	0.1 I				260		170	5,6,8					
CHLORAMBEN	133-90-4	0.015 I		0.015 Ir		20		700	2				210	
CHLORDANE	57-74-9	0.0005 I	0.35 I	0.0002 I	0.35 I	98000		0.056	4,5,7				175	0.091
CHLORO-1,1-DIFLUORO- THANE, 1-	75-68-3			14.3 I		22		1400	4				-9.2	

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-I	RfDi (mg/kg-d)	CSFi (mg/kg-d)-I	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
CHLORO-1-PROPENE, 3-(ALLYL CHLORIDE)	107-05-1	0.000286 Ir	0.021 C	0.000286 I	0.021 C	48	X	3300	1,3,5,7,10	13100	15000	X	45	18.07
CHLOROACETOPHENONE, 2-	532-27-4	0.00000857 Ir		0.00000857 I		76		1100	3				247	4.50
CHLOROANILINE, P-	106-47-8	0.004 I		0.004 Ir		460		3900	1				232	
CHLOROBENZENE	108-90-7	0.02 I		0.00571 H		200	X	490	3			X	132	0.84
CHLOROBENZILATE	510-15-6	0.02 I	0.27 H	0.02 Ir	0.273 H	2600		13	4			X	415	3.60
CHLOROBUTANE, 1-	109-69-3	0.4 H				580	X	680	1,2,3,4	13200	15000	X	78.5	
CHLORODIBROMOMETHANE	124-48-1	0.02 I	0.084 I	0.02 Ir	0.0945 C	83	X	4200	4,6,7,9	13100	15100	X	116	1.39
CHLORODIFLUOROMETHANE	75-45-6			14 I		59	X	2899	4	13200	15000		-40.8	
CHLOROETHANE	75-00-3	0.4 Ir	0.0029 N	2.86 I		42	X	5700	1	13100	15000	X	12	4.50
CHLOROFORM	67-66-3	0.01 I	0.0061 I	0.00009 N	0.0805 I	56	X	8000	1,2,3	13100	15000	X	61	0.01
CHLORONAPHTHALENE, 2-	91-58-7	0.08 I		0.08 Ir		8500		11.7	1				256	
CHLORONITROBENZENE, P-	100-00-5		0.018 H			480		220	1				242	
CHLOROPHENOL, 2-	95-57-8	0.005 I		0.005 Ir		400	X	24000	1,3,4	12900	14900	X	175	
CHLOROPRENE	126-99-8	0.02 H		0.002 H		50	X	1736	9	13100	15000	X	59	0.69
CHLOROPROPANE, 2-	75-29-6			0.0286 H		260	X	3100	1,3,5	13200	15000	X	47.2	
CHLOROTHALONIL	1897-45-6	0.015 I	0.011 H		0.0031 C	980		0.6	2				350	
CHLOROTOLUENE, O-	95-49-8	0.02 I				760	X	422	14,15	13100	15000	X	158.97	
CHLORPYRIFOS	2921-88-2	0.003 I		0.003 Ir		4600		1.12	2,4,6,7				200	
CHLORSULFURON	64902-72-3	0.05 I				11		192	2,5,6,8,9				152	
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	0.01 I				6,500		0.5	2,5,7				360	1.37
CHRYSENE	218-01-9		0.0073 N		0.0031 T	490000		0.0019	1				448	0.126
CRESOL(S)	1319-77-3	0.005 S				25	X	20000	2	13000	14900	X	139	5.16
CRESOL, O-(METHYLPHENOL, 2-)	95-48-7	0.05 I				97	X	2500	3,5,6	12900	14800	X	191	18.07
CRESOL, M (METHYLPHENOL, 3-)	108-39-4	0.05 I				35		2500	2			X	202	5.16
CRESOL, P (METHYLPHENOL, 4-)	106-44-5	0.005 H				49		22000	6				202	9.03
CRESOL, P-CHLORO-M-	59-50-7	0.005 S				780		3846	2				235	
CROTONALDEHYDE	4170-30-3		1.9 S		1.9 Sr	5.6	X	180000	3			X	104	18.07
CROTONALDEHYDE, TRANS-	123-73-9		1.9 H		1.9 Hr	6.1	X	156000	1	13100	15100	X	104	18.07
CUMENE	98-82-8	0.1 I		0.11		2800	X	50	1,5,6	13100	15100	X	152	15.81
CYCLOHEXANONE	108-94-1	5 I		5 Ir		66	X	36500	1,2,4,5	13000	14900	X	157	
CYFLUTHRIN	68359-37-5	0.025 I				130,000	X	0.001	2	13000	15000	X		
CYROMAZINE	66215-27-8	0.0075 I				1,200		11000	12				222	
DDD, 4,4'-	72-54-8		0.24 I		0.2415 C	44000		0.16	5,6,7				193	0.02

TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)

## A. Organic Regulated Substances

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
DDE, 4,4'-	72-55-9		0.34 I		0.34 C	87000		0.04	5				348	0.02
DDT, 4,4'-	50-29-3	0.0005 I	0.34 I	0.0005 Ir	0.34 I	240000		0.0055	5,6,7				260	0.02
DI(2-ETHYLHEXYL)ADI- PATE	103-23-1	0.6 I	0.0012 I			47,000,000		200	5	13000	14900	X	214	4.50
DIALLATE	2303-16-4		0.061 H		0.061 Hr	190	X	40	2,4,6,8	12900	14900	X	150	1.39
DIAMINOTOLUENE, 2,4-	95-80-7		3.2 H		4 C	36		7470	4				292	0.69
DIAZINON	333-41-5	0.0009 H		0.0009 Hr		500		50	2,4,6,8				306	
DIBENZO[A,H]ANTHRA- CENE	53-70-3		7.3 N		3.1 T	1800000		0.0006	1,5,6				524	0.13
DIBROMO-3-CHLORO- PROPANE, 1,2-	96-12-8	0.0000571 Ir	1.4 H	0.0000571 I	0.00242 H	140	X	1000	4	13000	15000	X	196	0.69
DIBROMOBENZENE, 1,4-	106-37-6	0.01 I				1,600		20	1				220.4	
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.0000571 Hr	85 I	0.0000571 H	0.77 I	54	X	4150	1,2,3,5	13100	15100	X	131	2.11
DIBROMOMETHANE	74-95-3	0.01 H		0.01 Hr		110	X	11400	1	13100	15100	X	96	4.50
DIBUTYL PHTHALATE, N-	84-74-2	0.1 I		0.1 Ir		1600		400	1,2,3			X	340	11.00
DICHLORO-2-BUTENE, 1,4-	764-41-0				9.3 H	180		850	9				156	
DICHLOROBENZENE, 1,2-	95-50-1	0.09 I		0.0571 H		350	X	147	1,4,5,6,7	13100	15100	X	180	0.69
DICHLOROBENZENE, 1,3-	541-73-1	0.03 N				360	X	106	1	13100	15100	X	173	0.69
DICHLOROBENZENE, P-	106-46-7	0.03 N	0.024 H	0.229 I	0.022 N	510		82.9	1				174	0.69
DICHLOROBENZIDINE, 3,3'-	91-94-1		0.45 I		1.19 C	22000		3.11	4,5,6				368	0.69
DICHLORODIFLUORO- METHANE (FREON 12)	75-71-8	0.2 I		0.0571 H		360	X	280	1	13200	15000	X	-30	0.69
DICHLOROETHANE, 1,1-	75-34-3	0.1 H	0.0057 C	0.143 H	0.0056 C	52	X	5000	2	13100	15000	X	57	0.16
DICHLOROETHANE, 1,2-	107-06-2	0.03 N	0.091 I	0.23 D	0.091 I	38	X	8412	1,2,3,4	13100	15000	X	83	0.69
DICHLOROETHYLENE, 1,1-	75-35-4	0.009 I	0.6 I	0.009 Ir	0.175 I	65	X	2500	1,4,5	13100	15000	X	32	0.19
DICHLOROETHYLENE, CIS-1,2-	156-59-2	0.01 I		0.01 Ir		49	X	3500	1	13100	15000	X	60	0.01
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	0.02 I		0.02 Ir		47	X	6300	1	13100	15000	X	48	0.01
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	0.06 I	0.0075 I	0.857 H	0.00165 I	16	X	20000	1,2,3	13100	15000	X	40	4.50
DICHLOROPHENOL, 2,4-	120-83-2	0.003 I		0.003 Ir		160		4500	1				210	5.88
DICHLOROPHENO- XYACETIC ACID, 2,4- (2,4-D)	94-75-7	0.01 I		0.01 Ir		59		677	4,5,6,7,10				215	1.39
DICHLOROPROPANE, 1,2-	78-87-5	0.09 D	0.068 H	0.0011 I	0.036 C	47	X	2700	1,3,4	13100	15000	X	96	0.10
DICHLOROPROPENE, 1,3-	542-75-6	0.03 I	0.1 I	0.0057 I	0.014 I	27	X	2700	6	13100	15000	X	108	22.38
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75-99-0	0.03 I		0.03 Ir		62	X	500000	5	13000	14900	X	190	2.11
DICHLORVOS	62-73-7	0.0005 I	0.29 I	0.000143 I	0.291 C	50		10000	2,4,5				140	
DICYCLOPENTADIENE	77-73-6	0.03 H		0.0000571 H		810	X	40	5			X	167	

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
DIELDRIN	60-57-1	0.00005 I	16 I	0.00005 Ir	16.1 I	11000		0.17	4,5,6			X	385	0.12
DIETHYL PHTHALATE	84-66-2	0.8 I		0.8 Ir		81		1080	4,5,6			X	298	2.25
DIFLUBENZURON	35367-38-5	0.02 I				1,000		0.2	2				201	
DIMETHOATE	60-51-5	0.0002 I		0.0002 Ir		110		25000	4				200	2.26
DIMETHOXYBENZIDINE, 3,3-	119-90-4		0.014 H			1,300		60	9				331	0.69
DIMETHYLAMINOAZO-BENZENE, P-	60-11-7		4.6 C		4.55 C	1000		13.6	7				200	4.50
DIMETHYLANILINE,,N-	121-69-7	0.002 I				180	X	1200	5,6,7,9	13000	14900	X	192	0.69
DIMETHYLBENZIDINE, 3,3-	119-93-7		9.2 I		9.2 Hr	22,000		1300	10			X	300	18.07
DIMETHYLPHENOL,2,4-	105-67-9	0.02 I		0.02 Ir		130		7869	1,4,6,7			X	211	18.07
DINITROBENZENE,1,3-	99-65-0	0.0001 I		0.0001 Ir		150		523	3,5,6,7				300	0.69
DINITROPHENOL,,4-	51-28-5	0.002 I		0.002 Ir		0.79		5600	2,4,5,6,7					0.48
DINITROTOLUENE,,4-	121-14-2	0.002 I	0.31 C	0.002 Ir	0.31 C	51		270	4,5,6				300	0.69
DINITROTOLUENE,,6-(2,6-DNT)	606-20-2	0.001 H		0.001 Hr		74		200	6				300	0.69
DINOSEB	88-85-7	0.001 I		0.001 Ir		120		50	5				223	1.03
DIOXANE,,4-	123-91-1		0.011 I		0.027 C	7.8	X	1000000	5	13000	14900	X	101	0.69
DIPHENAMID	957-51-7	0.03 I				200		260	5				210	
DIPHENYLAMINE	122-39-4	0.025 I		0.025 Ir		190		300	3				302	4.50
DIPHENYLHYDRAZINE, 1,2-	122-66-7		0.8 I		0.77 I	660		0.252	6				309	0.69
DIQUAT	85-00-7	0.0022 I		0.0022 Ir		2.6		700000	5				355	
DISULFOTON	298-04-4	0.00004 I		0.00004 Ir		1000	X	25	4,5,6	13400	15400	X	133	6.02
DIURON	330-54-1	0.002 I		0.002 Ir		300		42	2,4,5					
ENDOSULFAN	115-29-7	0.006 I		0.006 Ir		2,000		0.48	4				106	2.78
ENDOSULFANI 1 (ALPHA)	959-98-8	0.006 S		0.006 Sr		2000		0.5	6				200	
ENDOSULFANI 1 (BETA)	33213-65-9	0.006 S		0.006 Sr		2300		0.45	6				390	
ENDOSULFAN SULFATE	1031-07-8	0.006 S		0.006 Sr		2300		0.117	7,9				200	
ENDOTHALL	145-73-3	0.02 I		0.02 Ir		120		100000	2				200	
ENDRIN	72-20-8	0.0003 I		0.0003 Ir		11000		0.23	4,6,7,9				245	
EPICHLOROHYDRIN	106-89-8	0.002 H	0.0099 I	0.000286 Ir	0.0042 I	35	X	65800	1,3,4	13000	14900	X	116	4.50
ETHEPHON	16672-87-0	0.005 I				2		1240000	12				201	
ETHION	563-12-2	0.0005 I		0.0005 Ir		8700		0.85	4,6,9,10			X	200	
ETHOXYETHANOL,2-(EGEE)	110-80-5	0.4 H		0.057 I		12	X	1000000	2	13200	15000	X	136	4.50
ETHYL ACETATE	141-78-6	0.9 I		0.9 Ir		59	X	80800	1,2,3,4,5,6	13100	15000	X	77	18.07
ETHYL ACRYLATE	140-88-5		0.048 H		0.048 Hr	110	X	15000	1,2,6	13100	15100	X	100	18.07
ETHYL BENZENE	100-41-4	0.1 I		0.286 I		220	X	161	1,3,4	13100	15000	X	136	1.11
ETHYL DIPROPYLTHIOCARBAMATE, ES-(EPTC)	759-94-4	0.025 I				240	X	365	2	12900	14900	X	127	



**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
ETHYL ETHER	60-29-7	0.2 I		0.2 Ir		68	X	60400	1	13100	15100	X	35	
ETHYL METHACRYLATE	97-63-2	0.09 H		0.09 Hr		22		4635.5	9,10				117	
ETHYL GENELYCOL	107-21-1	2 I		2 Ir		4.4	X	1000000	2	13100	15100	X	198	10.54
ETHYLENE THIOUREA (ETU)	96-45-7	0.00008 I	0.11 I	0.00008 Ir	0.045 C	0.23		20000	2					4.50
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	0.00001 I				1,200		3.1	4				215	
FENAMIPHOS	22224-92-6	0.00025 I		0.00025 Ir		300		329	2				200	
FENVALERATE (PYDRIN)	51630-58-1	0.025 I				4,400		0.085	5	20500	25800	X	300	
FLUOMETURON	2164-17-2	0.013 I				68		97.5	2,5,6,8					
FLUORANTHENE	206-44-0	0.04 I		0.04 Ir		49000		0.26	1,5,6				375	0.29
FLUORENE	86-73-7	0.04 I		0.04 Ir		7900		1.9	1				298	2.11
FLUOROTRICHLORO-METHANE (FREON1)	75-69-4	0.3 I		0.2 H		130	X	1090	1,4,5,6	13100	15000	X	24	0.35
FONOFOS	944-22-9	0.002 I		0.002 Ir		1100	X	13	5,6,8	13400	15500	X	130	
FORMALDEHYDE	50-00-0	0.2 I	0.0455 Ir	0.0011 D	0.0455 I	3.6	X	55000	1	13100	15100	X	-21	18.07
FORMIC ACID	64-18-6	2 H		2 Hr		0.54	X	1000000	2	13000	14900	X	101	18.07
FOSETYL-AL	39148-24-8	3 I				310		120000	2					
FURAN	110-00-9	0.001 I				130	X	10000	1	13100	15000	X	31.36	2.25
FURFURAL	98-01-1	0.003 I		0.0143 H		6.3	X	91000	1,2,3	13000	14900	X	162	
GLYPHOSATE	1071-83-6	0.1 I		0.1 Hr		3500		12000	1,5,6				186	
HEPTACHLOR	76-44-8	0.0005 I	4.5 I	0.0005 Ir	4.55 I	6800		0.18	4,6,7				310	46.84
HEPTACHLOR EPOXIDE	1024-57-3	0.000013 I	9.1 I	0.000013 Ir	9.1 I	21000				4,6,7,9			200	0.23
HEXACHLOROBENZENE	118-74-1	0.0008 I	1.6 I	0.0008 Ir	1.61 I	3800		0.006	1,4,5				319	0.06
HEXACHLOROBUTA-DIENE	87-68-3	0.0002 H	0.078 I	0.0002 Hr	0.077 I	4700		2.89	4,5,6,7			X	215	0.69
HEXACHLOROCYCLO-PENTADIENE	77-47-4	0.006 I		0.00006 H		7200		1.8	5,6,7			X	239	4.50
HEXACHLOROETHANE	67-72-1	0.001 I	0.014 I	0.001 Ir	0.014 I	2200		50	1				187	0.69
HEXANE	110-54-3	0.06 H		0.0571 I		3600	X	9.5	1,5,6	13100	15000	X	69	
HEXYTHIAZOX (SAVEY)	78587-05-0	0.025 I						6,500	0.5	2				
HYDRAZINE/HYDRAZINE SULFATE	302-01-2		3 I		17 I	0.0053	X	1000000	2	13000	15000	X	113.5	18.07
HYDROQUINONE	123-31-9	0.04 H		0.04 Hr		10		70000	2,3,5				285	18.07
INDENO[1,2,3-CD]PYRENE	193-39-5		0.73 N		0.31 T	31000000		0.062	5				536	0.17
IPRODIONE	36734-19-7	0.04 I				1,100		13	2					
ISOBUTYL ALCOHOL	78-83-1	0.3 I		0.3 Ir		60	X	81000	1,2,3,4,5	13000	14900	X	108	17.57
ISOPHORONE	78-59-1	0.2 I	0.00095 I	0.2 Ir	0.00095 Ir	31		12000	2,4,5			X	215	4.50
KEPONE	143-50-0	0.0005 D	16 C		16.1 C	55000		7.6	4				350	0.17
MALATHION	121-75-5	0.02 I		0.02 Ir		1300	X	143	4	14000	16300	X	157	2.46
MALEIC HYDRAZIDE	123-33-1	0.5 I		0.5 Ir		2.8		6000	4				260	

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
MANEB	12427-38-2	0.005 I				1		23	9,13					
MERPHOS OXIDE	78-48-8	0.00003 I				53,000	X	2.3	8,10,12	13100	15100	X	150	
METHACRYLONITRILE	126-98-7	0.0001 I		0.0002 H		21	X	25700	1	13100	15100	X	90	
METHAMIDOPHOS	10265-92-6	0.00005 I				5		2000000	5					
METHANOL	67-56-1	0.5 I		0.5 Ir		2.8	X	1000000	2	13100	15100	X	65	36.14
METHOMYL	16752-77-5	0.025 I		0.025 Ir		20		58000	2				144	
METHOXYCHLOR	72-43-5	0.005 I		0.005 Ir		63000		0.045	4,5,6				346	0.69
METHOXYETHANOL, 2-	109-86-4	0.001 H		0.00571 I			X	1000000	2	13100	15000	X	124.3	4.50
METHYL ACETATE	79-20-9	1 H				30	X	243500	4,5,6	13100	15100	X	56.9	
METHYL ACRYLATE	96-33-3	0.03 H				55	X	52000	1,2,5	13100	15100	X	70	18.07
METHYL CHLORIDE	74-87-3	0.004 M	0.013 H	0.029 D	0.0063 H	6	X	6180	1,2,3,4	13200	15000	X	-24	4.50
METHYL ETHYL KETONE	78-93-3	0.6 I		0.286 I		32	X	275000	1,2,3,4,5	13100	15100	X	80	2.57
METHYL ISOBUTYL KETONE	108-10-1	0.08 H		0.023 H		17	X	19550	1,2,4,5	13100	15100	X	117	18.07
METHYL METHACRYLATE	80-62-6	1.4 I		0.2 I		10	X	15600	1	13100	15100	X	100	4.5045
METHYL METHANESULFONATE	66-27-3		0.099 C		0.098 C	5.2		200000	2				203	
METHYL PARATHION	298-00-0	0.00025 I		0.00025 Ir		790	X	25	4,5,6	13500	15600	X	133	3.61
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	0.006 H		0.011 H		2,200		89	9					
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	0.857 Ir	0.0018 C	0.857 I	0.0018 C	12	X	45000	1,2,4,6	13100	15100	X	55	0.693
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	0.0007 H	0.13 H	0.0007 Hr	0.13 H	3,000		13.9	10					
METHYLNAPHTHALENE, 2-	91-57-6	0.02 S		0.00086 S		16000		25	1			X	241	
METHYLSTYRENE, ALPHA	98-83-9	0.07 H				660	X	560	9			X	165.4	
NAPHTHALENE	91-20-3	0.02 I		0.00086 I		950		30	3				218	0.98
NAPHTHYLAMINE,1-	134-32-7		1.8 S		1.8 S	3200		1690	2				301	0.69
NAPHTHYLAMINE,2-	91-59-8		1.8 C		1.8 C	87		6.4	6				306	0.69
NAPROPAMIDE	15299-99-7	0.1 I				880		70	2					
NITROANILINE,M-	99-09-2	0.0000571 S		0.0000571 S		18		100	3				306	
NITROANILINE,O-	88-74-4	0.0000571 Hr		0.0000571 H		27		1200	6				284	
NITROANILINE,P-	100-01-6	0.0000571 S		0.0000571 S		15		800	2				332	
NITROBENZENE	98-95-3	0.0005 I		0.0006 H		130		2000	2			X	211	0.64
NITROPHENOL,2-	88-75-5	0.008 S		0.008 S		37		2100	1,2,3,4,5,6				215	9.01
NITROPHENOL,4-	100-02-7	0.008 N		0.008 Nr		230		16000	2				279	25.81
NITROPROPANE,2-	79-46-9	0.00571 Ir	9.4 Hr	0.00571 I	9.4 H	20	X	16700	1,3,4,5	13000	14900	X	120	0.69
NITROSODIETHYLAMINE, N-	55-18-5		150 I		151 I	26	X	93000	10	13000	14900	X	176	0.69

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-I	RfDi (mg/kg-d)	CSFi (mg/kg-d)-I	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
NITROSODIMETHYLAMINE, N-	62-75-9		51 I		49 I	8.5	X	1000000	2	13000	14900	X	154	0.69
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3		5.4 I		5.6 I	450		1200	9,10,13			X	235	0.69
NITROSODI-N-PROPYLAMINE, N-	621-64-7	0.095 D	7 I	0.095 Dr	7 C	11		9900	6			X	206	0.69
NITROSODIPHENYLAMINE, N-	86-30-6		0.0049 I		0.0091 C	580		35	1				269	3.72
NITROSO-N-ETHYLUREA, N-	759-73-9		140 H		27 C	2		13000	9				125	1734.48
OCTYL PHTHALATE, DI-N-	117-84-0	0.02 H		0.02 Hr		980000000		3	5			X	234	0.69
OXAMYL (VYDATE)	23135-22-0	0.025 I		0.025 Ir		7.1		280000	2				101	
PARATHION	56-38-2	0.006 H		0.006 Hr		2300		20	2,4,5,6,7			X	375	
PCB-1016 (AROCLOR)	12674-11-2	0.00007 I	0.09 N	0.00007 Ir	0.09 Nr	110000		0.25	5			X	340	
PCB-1221 (AROCLOR)	11104-28-2		0.5 S		0.5 S	1900		0.59	5			X	340	
PCB-1232 (AROCLOR)	11141-16-5		0.5 S		0.5 S	1500		1.45	7			X	340	
PCB-1242 (AROCLOR)	53469-21-9		0.5 N		0.5 Nr	48000		0.1	5			X	340	
PCB-1248 (AROCLOR)	12672-29-6		1.8 S		1.8 S	190000		0.054	7,9,11			X	340	
PCB-1254 (AROCLOR)	11097-69-1	0.00002 I	1.8 N	0.00002 Ir	1.8 Nr	810000		0.057	5			X	340	
PCB-1260 (AROCLOR)	11096-82-5		0.6 N		0.6 Nr	1800000		0.08	5				385	
PEBULATE	1114-71-2	0.05 H				630	X	92	5	13000	14900	X	142	
PENTACHLOROBENZENE	608-93-5	0.0008 I		0.0008 Ir		32000		0.74	1,5,6,7				277	0.37
PENTACHLORONITROBENZENE	82-68-8	0.003 I	0.26 H	0.003 Ir	0.26 Hr	7900		0.44	4,6,8				328	0.36
PENTACHLOROPHENOL	87-86-5	0.03 I	0.12 I	0.03 Ir	0.12 Ir	20000		14	1,2,4,5				310	0.17
PHENACETIN	62-44-2		0.0022 C		0.0022 C	110		763	2,3,9				200	4.50
PHENANTHRENE	85-01-8	0.3 S		0.3 Sr		38000		1.1	1,4,5				341	0.63
PHENOL	108-95-2	0.6 I		0.6 Ir		22	X	84300	1,2,3,4			X	182	36.14
PHENYLENEDIAMINE,-	108-45-2	0.006 I		0.006 Ir		12		351000	3				286	4.50
PHENYLPHENOL,2-	90-43-7		0.00194 H			5,700		700	5				280	18.07
PHORATE	298-02-2	0.0002 H		0.0002 Hr		810	X	50	2	13100	15100	X	118	
PHTHALIC ANHYDRIDE	85-44-9	2 I		0.0343 H		79		6170	2				285	13490.40
PICLORAM	1918-02-1	0.07 I				15		430	2					
POLYCHLORINATED BIPHENYLS (AROCLORS) (PCBS)	1336-36-3		2 I		2 I			0.0505	10,13					
PRONAMIDE	23950-58-5	0.075 I		0.075 Ir		200		15	2				321	
PROPANIL	709-98-8	0.005 I				160		225	2					
PROPHAM	122-42-9	0.02 I				51		250	5					
PROPYLBENZENE,N-	103-65-1	0.04 N				720	X	52	6	13100	15100	X	159.2	
PROPYLENEXIDE	75-56-9	0.00857 Ir	0.24 I	0.00857 I	0.013 I	25	X	405000	1	13100	15000	X	34	
PYRENE	129-00-0	0.03 I		0.03 Ir		68000		0.132	1				393	0.07

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)**

**A. Organic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-I	RfDi (mg/kg-d)	CSFi (mg/kg-d)-I	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
PYRIDINE	110-86-1	0.001 I		0.001 Ir		0.0066	X	1000000	2	13100	15000	X	115	18.07
QUINOLINE	91-22-5		12 H			1,300		60000	1,3,5		14900	X	237.7	12.65
QUIZALOFOP (ASSURE)	76578-14-8	0.009 I				580		0.3	2				220	
RONNEL	299-84-3	0.05 H				580		40	2				151	
SIMAZINE	122-34-9	0.005 I	0.12 H	0.005 Ir	0.12 Hr	110		5	5				225	
STRYCHNINE	57-24-9	0.0003 I		0.0003 Ir		280		143	5				270	4.50
STYRENE	100-42-5	0.2 I		0.286 I		910	X	300	5	13100	15100	X	145	1.20
TEBUTHIURON	34014-18-1	0.07 I				620		2500	2					
TERBACIL	5902-51-2	0.013 I				53		710	2					
TERBUFOS	13071-79-9	0.000025 H		0.000025 Hr		510	X	5	6	13000	15000	X	69	
TETRACHLOROBENZENE, 1,2,4,5-	95-94-3	0.0003 I		0.0003 Ir		1,800		0.583	1,5,6,7				245	0.69
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8-(TCDD)	1746-01-6	0.000000001 D	150000 H		150000 H	4300000		0.0000193	6				412	0.21
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	0.03 I	0.026 I	0.03 Ir	0.0259 I	980	X	1100	1			X	130.5	3.79
TETRACHLOROETHANE, 1,1,2,2-	79-34-5	0.06 N	0.2 I	0.06 Nr	0.203 I	79	X	2860	2	13100	15100	X	147	0.56
TETRACHLOROETHYLENE (PCE)	127-18-4	0.01 I	0.052 N	0.14 N	0.00203 N	300	X	162	1,2,3,4,5	13100	15000	X	121	0.03
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	0.03 I		0.03 Ir		6200		183	6				150	0.69
TETRAETHYL LEAD	78-00-2	0.0000001 I		0.0000001 Ir		4900		0.8	5			X	200	4.50
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	0.0005 I		0.0005 Ir		550	X	25	2	13000	14900	X	136	
THIOFANOX	39196-18-4	0.0003 H				0.022		5200	9					
THIRAM	137-26-8	0.005 I		0.005 Ir		1000		30	4				200	
TOLUENE	108-88-3	0.2 I		0.114 I		130	X	532.4	1,2,3,4	13100	15000	X	111	9.01
TOLUIDINE,M-	108-44-1		0.24 S		0.24 Sr	140		15030	6			X	203	
TOLUIDINE,O-	95-53-4		0.24 H		0.24 Hr	410		15000	1,3,5			X	200	18.07
TOLUIDINE,P-	106-49-0		0.19 H		0.19 Hr	320		7410	1,2,3				200	
TOXAPHENE	8001-35-2	0.001 D	1.1 I	0.001 Dr	1.12 I	1500		3	2,4,5				432	
TRIALATE	2303-17-5	0.013 I				2,000		4	5				117	
TRIBROMOMETHANE (BROMOFORM)	75-25-2	0.02 I	0.0079 I	0.02 Ir	0.00385 I	130	X	3050	1,2,3,4	13100	15100	X	149	0.69
TRICHLORO-1,2,2-TRIFLUOROETHANE, 1,1,2-	76-13-1	30 I		8.57 H		1,200	X	170	1			X	47.7	0.35
TRICHLOROBENZENE, 1,2,4-	120-82-1	0.01 I	0.0036 C	0.0571 H		1500		44.4	1,4,6,7			X	213	0.69
TRICHLOROBENZENE, 1,3,5-	108-70-3	0.006 M		0.0571 S		3100		5.8	5				208	
TRICHLOROETHANE, 1,1,1-	71-55-6	0.28 N		0.63 N		100	X	1495	1,4,5,6	13100	15000	X	74	0.05

TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES (Continued)

## A. Organic Regulated Substances

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Koc	VOC?	Aqueous Sol (mg/L)	Aqueous Sol Reference <sup>1</sup>	TF Vol from Surface Soil	TF Vol from SubSurface Soil	Organic Liquid	Boiling Point (degrees C)	Degradation Coefficient (K)(yr <sup>-1</sup> )
TRICHLOROETHANE, 1,1,2-	79-00-5	0.004 I	0.057 I	0.004 Ir	0.056 I	76	X	4420	1	13100	15100	X	114	0.03
TRICHLOROETHYLENE (TCE)	79-01-6	0.006 M	0.011 N	0.143 D	0.00595 N	93	X	1100	1	13100	15000	X	87	0.02
TRICHLOROPHENOL, 2,4,5-	95-95-4	0.1 I		0.1 Ir		2400		1000	1,2,4				246	0.14
TRICHLOROPHENOL, 2,4,6-	88-06-2	0.0003 I	0.011 I	0.0003	0.01085 I	1100		850	1,2,4,5				246	0.14
TRICHLOROPHEN- OXYACETIC ACID,4,5-2,4,5-T)	93-76-5	0.01 I		0.01 Ir		43		278	2,4,5				279	1.39
TRICHLOROPHEN- OXYPROPIONIC ACID,4,5- (2,4,5-TP)(SILVEX)	93-72-1	0.008 I		0.008 Ir		1700		140	2				200	
TRICHLOROPROPANE, 1,1,2-	598-77-6	0.005 H				24	X	2700	14	13100	15000	X	117	
TRICHLOROPROPANE, 1,2,3-	96-18-4	0.006 I	7 H	0.0014 N	7 Hr	280	X	1896	1,4,6	13100	15100	X	157	0.35
TRICHLOROPROPENE, 1,2,3-	96-19-5	0.005 H				190	X	2700	14	13100	15000	X	142	
TRIFLURALIN	1582-09-8	0.0075 I	0.0077 I	0.0075 Ir	0.0077 Ir	720		4	2,5,6,7				139	
TRIMETHYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	95-63-6	0.05 N		0.0017 N		2,200	X	56	1	13100	15000	X	169	4.50
TRIMETHYLBENZENE, 1,3,5-	108-67-8	0.05 I		0.0017 N		660	X	48.9	1	13100	15100	X	164.7	
TRINITROTOLUENE, 2,4,6-	118-96-7	0.0005 I	0.03 I			1		100	2				240	
VINYL ACETATE	108-05-4	1 I		0.0571 I		2.8	X	20000	1	13200	15000	X	73	
VINYL BROMIDE (BROMOETHENE)	593-60-2	0.000857 Ir	0.11 Hr	0.000857 I	0.11 H	150		4180	12				15.8	0.09
VINYL CHLORIDE	75-01-4	0.003 I	1.5 I	0.029 I	0.03 I	10	X	2700	1	13200	15000	X	-13	0.09
WARFARIN	81-81-2	0.0003 I		0.0003 Ir		910		17	4				356	4.50
XYLENES (TOTAL)	1330-20-7	2 I		0.12 D		350	X	175	13	13100	15000	X	140	0.69
ZINEB	12122-67-7	0.05 I				19		10	4					

<sup>1</sup> Aqueous solubility references are keyed to the numbered list found at § 250.304(f). Where there are multiple sources cited, the table value is the median of the values in the individual references.

## Toxicity Value Sources:

C = California EPA Cancer Potency Factor

D = ATSDR Minimal Risk Level

H = Health Effects Assessment Summary Table (HEAST)

I = Integrated Risk Information System (IRIS)

M = EPA Drinking Water Regulations and Health Advisories

N = EPA NCEA Provisional Values

r = route-to-route extrapolation

**TABLE 5—PHYSICAL AND TOXICOLOGICAL PROPERTIES**

**B. Inorganic Regulated Substances**

Regulated Substance	CAS	RfDo (mg/kg-d)	CSFo (mg/kg-d)-1	RfDi (mg/kg-d)	CSFi (mg/kg-d)-1	Kd
ALUMINUM	7429-90-5	1 N		0.001 N		
ANTIMONY	7440-36-0	0.0004 I		0.0004 Ir		45
ARSENIC	7440-38-2	0.0003 I	1.5 I	0.0003 Ir	15 I	29
BARIUM AND COMPOUNDS	7440-39-3	0.07 I		0.0001 H		41
BERYLLIUM	7440-41-7	0.002 I		0.00000571 Ir	8.4 I	790
BORON AND COMPOUNDS	7440-42-8	0.09 I		0.0057 H		
CADMIUM	7440-43-9	0.0005 I	0.38 C	0.0005 Ir	6.3 I	75
CHROMIUM III	16065-83-1	1.5 I				1800000
CHROMIUM VI	18540-29-9	0.003 I	0.19 C	0.00003 I	42 I	19
COBALT	7440-48-4	0.02 N		0.000005 D		
COPPER	7440-50-8	0.0371 H				360
CYANIDE, TOTAL	57-12-5	0.02 I		0.02 Ir		9.9
IRON	7439-89-6	0.3 N		0.3 Nr		
LEAD	7439-92-1		0.0085 C		0.042 C	890
MANGANESE	7439-96-5	0.14 I		0.0000143 I		
MERCURY	7439-97-6	0.0003 M		0.000086 I		52
NICKEL	7440-02-0	0.02 I		0.0000571 D	0.84 Is	65
SELENIUM	7782-49-2	0.005 I		0.005 Ir		5
SILVER	7440-22-4	0.005 I		0.005 Ir		8.3
THALLIUM	7440-28-0	0.00007 I		0.00007 Ir		71
TIN	7440-31-5	0.6 H		0.6 Hr		
VANADIUM	7440-62-2	0.007 H		0.000057 D		1000
ZINC	7440-66-6	0.3 I		0.3 Ir		62

Toxicity Value Sources:

C = California EPA Cancer Potency Factor

D = ATSDR Minimal Risk Level

H = Health Effects Assessment Summary Table (HEAST)

I = Integrated Risk information System (IRIS)

M = EPA Drinking Water Regulations and Health Advisories

N = EPA NCEA Provisional Values

r = route-to-route extrapolation

TABLE 6—THRESHOLD OF REGULATION COMPOUNDS

REGULATED SUBSTANCE	CASRN	ALL AQUIFER GROUND- WATER MSC (µg/L)	Residential Soil MSC (mg/kg) 0-15 feet	Non-Residential Soil MSCs		Soil to Groundwater <sup>1</sup> (mg/kg)
				Surface Soil (mg/kg) 0-2 feet	Subsurface Soil (mg/kg) 2-15 feet	
ACETIC ACID	64197	5	100	100	100	0.5
ACETIC ANHYDRIDE	108247	5	100	100	100	0.5
AMYL ACETATE, N-	628637	5	100	100	100	0.5
AMYL ACETATE, SEC-	626380	5	100	100	100	0.5
ANTU (ALPHA-NAPHTHYLTHIOUREA)	86884	5	100	100	100	0.5
AZINPHOS-METHYL (GUTHION)	86500	5	100	100	100	0.5
BETA PROPIOLACTONE	57578	5	100	100	100	0.5
BIS(2-CHLOROETHOXY)METHANE	111911	5	100	100	100	0.5
BROMOPHENYL PHENYL ETHER, 4-	101553	5	100	100	100	0.5
BUTYL ACETATE, N-	123864	5	100	100	100	0.5
BUTYL ACETATE, SEC-	105464	5	100	100	100	0.5
BUTYL ACETATE, TERT-	540885	5	100	100	100	0.5
BUTYLAMINE, N-	109739	5	100	100	100	0.5
CALCIUM CHROMATE	13765190	5	100	100	100	0.5
CALCIUM CYANAMIDE	156627	5	100	100	100	0.5
CARBONYL FLUORIDE	353504	5	100	100	100	0.5
CATECHOL	120809	5	100	100	100	0.5
CHLOROACETALDEHYDE	107200	5	100	100	100	0.5
CHLOROETHYL VINYL ETHER, 2-	110-75-8	5	100	100	100	0.5
CHLOROPHENYL PHENYL ETHER, 4-	7005723	5	100	100	100	0.5
CYCLOHEXANE	110827	5	100	100	100	0.5
DECABORANE	17702419	5	100	100	100	0.5
DIBENZOFURAN	132649	5	100	100	100	0.5
DICHLORO-2-BUTENE, TRANS-1,3-	110576	5	100	100	100	0.5
DIETHANOLAMINE	111422	5	100	100	100	0.5
DIETHYLAMINE	109897	5	100	100	100	0.5
DIGLYCIDYL ETHER (DGE)	2238075	5	100	100	100	0.5
DIMETHYL PHTHALATE	131113	5	100	100	100	0.5
DIMETHYL SULFATE	77781	5	100	100	100	0.5
DIMETHYLPHENETHYLAMINE, ALPHA, ALPHA-	122098	5	100	100	100	0.5
DINITRO-O-CRESOL, 4,6-	534521	5	100	100	100	0.5
DIOXATHION	78342	5	100	100	100	0.5
ETHYL METHANESULFONATE	62500	5	100	100	100	0.5

**TABLE 6—THRESHOLD OF REGULATION COMPOUNDS (Continued)**

REGULATED SUBSTANCE	CASRN	ALL AQUIFER GROUND- WATER MSC (µg/L)	Residential Soil MSC (mg/kg) 0-15 feet	Non-Residential Soil MSCs		Soil to Groundwater <sup>1</sup> (mg/kg)
				Surface Soil (mg/kg) 0-2 feet	Subsurface Soil (mg/kg) 2-15 feet	
ETHYLAMINE	75047	5	100	100	100	0.5
ETHYLENE CHLORHYDRIN	107073	5	100	100	100	0.5
FAMPHUR	52857	5	100	100	100	0.5
FENSULFOTHION	115902	5	100	100	100	0.5
HEXACHLOROPROPENE	1888717	5	100	100	100	0.5
HEXANONE, 2- (METHYL N-BUTYL KETONE)	591786	5	100	100	100	0.5
IODOMETHANE	74884	5	100	100	100	0.5
ISOAMYL ACETATE	123922	5	100	100	100	0.5
ISOBUTYL ACETATE	110190	5	100	100	100	0.5
ISODRIN	465736	5	100	100	100	0.5
ISOPHORONE DIISOCYANATE	4098719	5	100	100	100	0.5
ISOSAFROLE	120581	5	100	100	100	0.5
LITHIUM	7439932	5	100	100	100	0.5
LITHIUM HYDRIDE	7580678	5	100	100	100	0.5
MANGANESE CYCLOPENTADIENYL TRICARBONYL	12079651	5	100	100	100	0.5
METHYL HYDRAZINE	60344	5	100	100	100	0.5
METHYL ISOAMYL KETONE	110123	5	100	100	100	0.5
METHYL ISOCYANATE	624839	5	100	100	100	0.5
METHYL MERCAPTAN	74931	5	100	100	100	0.5
METHYLAMINE	74895	5	100	100	100	0.5
METHYLCHLOROPHENOXYACETIC ACID (MCPA)	94749	5	100	100	100	0.5
MEVINPHOS	7786347	5	100	100	100	0.5
MONOCROTOPHOS	6923224	5	100	100	100	0.5
NAPHTHOQUINONE, 1,4-	130154	5	100	100	100	0.5
NITRIC ACID	7697372	5	100	100	100	0.5
NITROQUINOLINE-1-OXIDE, 4-	56575	5	100	100	100	0.5
OSMIUM TETROXIDE	20816120	5	100	100	100	0.5
PENTABORANE	19624227	5	100	100	100	0.5
PENTACHLOROETHANE	76017	5	100	100	100	0.5
PERCHLOROMETHYL MERCAPTAN	594423	5	100	100	100	0.5
PHENYL MERCAPTAN	108985	5	100	100	100	0.5
PICOLINE, 2-	109068	5	100	100	100	0.5
PROPANOL, 1-	71238	5	100	100	100	0.5



TABLE 6—THRESHOLD OF REGULATION COMPOUNDS (Continued)

REGULATED SUBSTANCE	CASRN	ALL AQUIFER GROUND- WATER MSC (µg/L)	Residential Soil MSC (mg/kg) 0-15 feet	Non-Residential Soil MSCs		Soil to Groundwater <sup>1</sup> (mg/kg)
				Surface Soil (mg/kg) 0-2 feet	Subsurface Soil (mg/kg) 2-15 feet	
PROPANOL, 2- (ISOPROPYL ALCOHOL)	67630	5	100	100	100	0.5
PROPIONIC ACID	79094	5	100	100	100	0.5
PROPIONITRILE (ETHYL CYANIDE)	107120	5	100	100	100	0.5
PROPYLENE IMINE	75558	5	100	100	100	0.5
PYRETHRUM	8003347	5	100	100	100	0.5
QUINONE (p-BENZOQUINONE)	106514	5	100	100	100	0.5
RESORCINOL	108463	5	100	100	100	0.5
SELENIUM HEXAFLUORIDE	7783791	5	100	100	100	0.5
SODIUM BISULFITE	7631905	5	100	100	100	0.5
SULFIDE	18496258	5	100	100	100	0.5
SULFUR MONOCHLORIDE	10025679	5	100	100	100	0.5
SULFURIC ACID	7664939	5	100	100	100	0.5
TELLURIUM	13494809	5	100	100	100	0.5
TELLURIUM HEXAFLUORIDE	7783804	5	100	100	100	0.5
TEPP (TETRAETHYL PYROPHOSPHATE)	107493	5	100	100	100	0.5
TETRAHYDROFURAN	109999	5	100	100	100	0.5
TETRANITROMETHANE	509148	5	100	100	100	0.5
THIONAZIN	297972	5	100	100	100	0.5
TRIETHYLAMINE	121448	5	100	100	100	0.5
TRIETHYLPHOSPHOROTHIOATE, O,O,O-	126681	5	100	100	100	0.5
TRINITROGLYCEROL (NITROGLYCERIN)	55630	5	100	100	100	0.5

<sup>1</sup>The value in the table is 100 times the groundwater MSC.

The option to use the SPLP is also available to calculate the soil to groundwater numeric value (See § 250.310)

**TABLE 8  
CONSTITUENTS OF POTENTIAL ECOLOGICAL CONCERN**

*METALS*

Arsenic III  
 Arsenic V  
 Barium  
 Beryllium  
 Cadmium  
 Chromium III  
 Chromium VI  
 Cobalt  
 Copper  
 Iron  
 Lead  
 Manganese  
 Mercury, inorganic  
 Mercury, methyl  
 Molybdenum  
 Nickel  
 Selenium  
 Vanadium  
 Zinc  
 Cyanide

*ORGANICS*

Acenaphthene  
 Aldrin \*  
 Benzene  
 Benzo(a)pyrene  
 Biphenyl  
 Bis(2-ethylhexyl)phthalate  
 Bromophenyl phenyl ether,4-  
 Butylbenzyl phthalate  
 Chlordane \*  
 Chlorobenzene  
 DDT (and metabolites)  
 Diazinon  
 Dibenzofuran  
 Dichlorobenzene,1,2-

*ORGANICS*

Dichlorobenzene,1,3-  
 Dichlorobenzene,1,4-  
 Dichlorobenzene,1,1-  
 Dieldrin  
 Diethyl phthalate  
 Di-n-butyl phthalate  
 Endosulfan (mixed isomers)  
 Endosulfan, alpha  
 Endosulfan, beta  
 Endrin  
 Ethylbenzene  
 Fluoranthene  
 Fluorene  
 Heptachlor  
 Hexachloroethane  
 Hexachlorocyclohexane (Lindane)  
 Kepone \*  
 Malathion  
 Methoxychlor  
 Mirex \*  
 Naphthalene  
 Pentachlorobenzene  
 Pentachlorophenol  
 Polynuclear aromatic hydrocarbons  
 Polychlorinate biphenyls (PCB)  
 Phenanthrene  
 Pyrene  
 Tetrachloroethane,1,1,2,2-  
 Tetrachloroethylene  
 Tetrachloromethane  
 Toluene  
 Toxaphene  
 Tribromomethane  
 Trichlorobenzene,1,2,4-  
 Trichloroethane,1,1,1-  
 Trichloroethylene  
 Xylenes

[Pa.B. Doc. No. 01-2102. Filed for public inspection November 21, 2001, 9:00 a.m.]

**Title 58—RECREATION**

**FISH AND BOAT COMMISSION**

**[58 PA. CODE CH. 63]**

**Marking Fish**

The Fish and Boat Commission (Commission) by this order amends Chapter 63 (relating to general fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The final-form rulemaking relates to tagging, branding, marking or finclipping fish.

*A. Effective Date*

The final-form rulemaking will go into effect on January 1, 2002, or upon publication of an order adopting the regulation in the *Pennsylvania Bulletin*, whichever occurs later.

*B. Contact Person*

For further information on the final-form rulemaking, contact Laurie E. Shepler, Assistant Counsel, (717) 705-7815, P. O. Box 67000, Harrisburg, PA 17106-7000. This

final-form rulemaking is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

*C. Statutory Authority*

The final-form rulemaking is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

*D. Purpose and Background*

The final-form rulemaking is designed to update, modify and improve the Commission's regulations pertaining to fishing. The specific purpose of the final-form rulemaking is described in more detail under the summary of regulation.

*E. Summary of Regulation*

Tagging, branding, marking and finclipping have been used to identify fish for a variety of reasons by fisheries scientists, angling organizations, commercial establishments and even individual anglers for years. Reasons for "marking" fish have been equally diverse from well designed studies aimed at answering a specific question to a means of dispersing awards or simply identifying repeat catches at an angler's favorite fishing spots. Devices for "marking" fish go from sophisticated radio transmitters to crude home-made creations, sometimes as

plain as a bent paperclip inserted through the dorsal fin of a trout. Tags are readily available from a variety of commercial sources, not only those in the fisheries supply business but poultry and livestock suppliers as well. In addition, tags and tagging kits can be purchased through popular fishing tackle catalogs. Each year, Commission staff encounter anglers who have caught fish with tags often with no labels as to who applied the tag or a means to learn about the tagging.

Generally speaking, marked fish, particularly those with a skin piercing tag, are not better off from the activity. Commission biologists in conducting field studies requiring the marking of fish resort to tagging and fin clipping only as a last resort. These studies also must take into account mortality due to marking and behavior responses that may impact study results. Tagging efforts by anglers often are at the worst time of the year for fish as warming water temperatures increase the likelihood that tagged fish may become infected due to the placement of tags and entry wounds.

When asked by the general public about tagging fish, Commission staff can only attempt to persuade the requestor to not do any, due not only to the limited information that might come from the effort but the likelihood of damage and even death to tagged fish. Given the Commission's stewardship role in regard to fish and other aquatic life, the Commission has adopted a new regulation that prohibits tagging and other forms of marking except under certain conditions. The Commission has adopted the new regulation as proposed.

#### F. Paperwork

The final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

#### G. Fiscal Impact

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no new costs on the private sector or the general public.

#### H. Public Involvement

A notice of proposed rulemaking was published at 31 Pa.B. 3411 (June 30, 2001). The Commission did not receive any public comments concerning the proposal.

#### Finding

The Commission finds that:

(1) Public notice of intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided, and no comments were received.

(3) The adoption of the regulation of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

#### Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 63, are amended by adding § 63.45 to read as set forth in 31 Pa.B. 3411.

(b) The Executive Director will submit this order and 31 Pa.B. 3411 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 31 Pa.B. 3411 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-120 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 01-2103. Filed for public inspection November 21, 2001, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF MEDICINE

[49 PA. CODE CH. 16]

### Sexual Misconduct

The State Board of Medicine (Board) proposes to adopt § 16.110 (relating to sexual misconduct) to read as set forth in Annex A.

#### *Effective Date*

The proposed regulation will be effective upon final-form publication as in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

Under sections 8 and 41(8) of the Medical Practice Act of 1985 (63 P. S. §§ 422.8 and 422.41(8)), the Board has authority to establish standards of professional conduct for Board regulated practitioners under its jurisdiction. These individuals include physicians, physician assistants, nurse midwives, certified registered nurse practitioners (jointly regulated with the State Board of Nursing), respiratory care practitioners, drugless therapists and acupuncturists. The proposed regulation identifies when sexual contact by Board regulated practitioners with patients, and under certain circumstances, immediate family members of patients, will be deemed unprofessional conduct.

#### *Background and Purpose*

It should be axiomatic that it is unprofessional conduct for a health care practitioner to engage in sexual contact with patients. Past decisions of the Board upheld by the Commonwealth Court, the Code of Medical Ethics, as published by the American Medical Association and responsible professional publications addressing the issue denounce sexual contact between practitioner and patient. Nevertheless, complaints are filed each year by consumers who have been harmed by Board regulated practitioners who engage in this conduct.

#### *Description of Proposed Regulation*

The proposed regulation seeks to better protect patients by providing guidance to the profession and the public as to prohibited conduct relating to sexual contact between practitioners and patients. The proposed regulation would prohibit any sexual contact between a Board regulated practitioner and a current patient. The proposed regulation would further prohibit any sexual contact between a Board regulated practitioner and a former patient prior to the 2-year anniversary of the termination of the professional relationship when the Board regulated practitioner has been involved with the management or treatment of a patient for a mental health disorder. This 2-year period was developed from professional literature which indicates that an imbalance of power between health care practitioners and patients continues after the professional relationship ends.

The proposed regulation would also prohibit sexual exploitation by a Board regulated practitioner of a current or former patient or immediate family member of a patient. "Sexual exploitation" is defined by the proposed regulation as sexual behavior that uses the trust, knowledge, emotions or influence derived from the professional relationship. The Board believes that it is appropriate to

protect immediate family members from sexual exploitation by Board regulated practitioners because immediate family members are often as vulnerable as the patients.

The proposed regulation would also provide that Board regulated practitioners who engage in prohibited sexual contact with patients or former patients will not be eligible for placement in the Board's impaired professional program in lieu of disciplinary or corrective actions. The impaired professional program is unable to effectively monitor Board regulated practitioners who have engaged in sexual misconduct.

The proposed regulation would also provide that patient consent will not be considered a defense to disciplinary action in these cases. The imbalance of power inherent in the health care practitioner-patient relationships not only serves as the basis for the prohibition but also undermines the patient's ability to consent to the sexual contact as an equal. Indeed, the Board's experience in adjudicating these cases has repeatedly demonstrated the reality of the inherent imbalance of the relationship and the patient's inability to give meaningful consent to sexual contact.

#### *Fiscal Impact and Paperwork Requirements*

The proposed regulation should have no fiscal impact on the Commonwealth or its political subdivisions. Likewise, the proposed regulation should not necessitate any legal, accounting, reporting or other paperwork requirements.

#### *Sunset Date*

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### *Compliance with Executive Order 1996-1, Regulatory Review and Promulgation.*

In compliance with Executive Order 1996-1, the Board extended an invitation to comment on early drafts of the proposed regulation to numerous parties who have indicated an interest in the Board's regulatory activities. The list of these persons is available upon request from the contact person. Only the Pennsylvania Medical Society (PMS) commented on the early version. PMS agreed that sexual exploitation of patients is improper and should subject the Board regulated practitioner to disciplinary action. PMS was concerned that innocent behavior may be prohibited by the proposed regulation and only the issue of exploitation should be addressed. PMS suggested that the Board retain § 16.110(a), (e) and (f) and delete § 16.110(b), (c) and (d). The Board disagrees, believing that § 16.110(b), (c) and (d) are necessary to address the inherent imbalance of power between Board regulated practitioners and patients, vulnerable former patients and immediate family members of patients.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 7, 2001, the Board submitted a copy of the proposed regulation to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the proposed regulation, the Board has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Execu-

tive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRRC has objections to any portion of the proposed regulation, it will notify the Board within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by the portion of the proposed regulation to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to publication of the final-form rulemaking, by the Board, the General Assembly and the Governor of objections raised.

#### Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed regulation to Amy L. Nelson, Counsel, State Board of Medicine, 116 Pine Street, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking.

CHARLES D. HUMMER, Jr., M.D.,  
Chairperson

**Fiscal Note:** 16A-497. 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 16. STATE BOARD OF MEDICINE—GENERAL PROVISIONS

#### Subchapter H. SEXUAL MISCONDUCT

#### § 16.110. Sexual misconduct.

(a) *Definitions.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

*Immediate family member*—A parent or guardian, child, sibling, spouse or other family member with whom a patient resides.

*Sexual behavior*—Any sexual conduct which is non-diagnostic and nontherapeutic; it may be verbal or physical and may include expressions of thoughts and feelings or gestures that are sexual in nature or that reasonably may be construed by a patient as sexual in nature.

*Sexual exploitation*—Any sexual behavior that uses trust, knowledge, emotions or influence derived from the professional relationship.

(b) *Sexual exploitation.* Sexual exploitation by a Board regulated practitioner of a current or former patient, or of an immediate family member of a patient, constitutes unprofessional conduct, is prohibited, and subjects the practitioner to disciplinary action.

(c) *Current patients.* Sexual behavior that occurs with a current patient constitutes unprofessional conduct, is prohibited and subjects the practitioner to disciplinary action.

(d) *Mental health patients.* When the practitioner is involved with the management or treatment of a patient for a mental health disorder, sexual behavior with that former patient which occurs prior to the 2-year anniversary of the termination of the professional relationship

constitutes unprofessional conduct, is prohibited and subjects the practitioner to disciplinary action.

(e) *Impaired professional program.* A practitioner who engages in conduct prohibited by this section will not be eligible for placement into an impaired professional program in lieu of disciplinary or corrective actions.

(f) *Consent.* Consent is not a defense to conduct prohibited by this section.

[Pa.B. Doc. No. 01-2104. Filed for public inspection November 21, 2001, 9:00 a.m.]

## STATE CIVIL SERVICE COMMISSION

[4 PA. CODE CH. 95]

### Promotion Procedure

The State Civil Service Commission (Commission) proposes to amend Chapter 95 (relating to promotion procedures). The Commission is publishing this amendment as a notice of proposed rulemaking under the authority of section 208 of the Civil Service Act (act) (71 P. S. § 741.208).

#### A. Effective Date

The proposed amendment, if approved on final-form rulemaking, will go into effect upon publication of an order adopting the amendment in the *Pennsylvania Bulletin*.

#### B. Contact Person

For further information on the proposed amendment, contact Randall C. Breon, whose contact information appears in the "Public Comments" section of this Pre-ambble.

This proposal is available electronically through the Commission's website (<http://www.scsc.state.pa.us>).

#### C. Statutory Authority

The statutory authority for the proposal is section 203(1) of the act (71 P. S. § 741.203(1)).

#### D. Purpose and Background

A change in the procedures for promotions was requested by the State agency "clients" of the Commission. Currently the State's personnel system has civil service and noncivil service employees. Many are initially hired into noncivil service positions. These employees often work for the State for years, and sometimes are promoted from one noncivil service position to another. In many instances, however, they reach a point when their logical and natural career progression would call for a promotion to a particular position, but that position is covered by the act. Currently our rules require that the noncivil service employees compete with and be treated in the same fashion as non-Commonwealth employees being newly hired into the civil service system. The result is that some career State employees who started their employment as noncivil service reach a "career ceiling" prematurely. If not for the barrier presented by our current rules, their skills, knowledge and abilities would allow for further promotion.

The proposed amendment gives the employing agency of State government an option to consider both civil

service and noncivil service employees for promotion on an equal basis. This would replace the current rule that precludes an agency from considering noncivil service Commonwealth employees for promotion into civil service positions. To be promoted, the noncivil service employees would be required to take and pass an examination for the title, and compete against other similarly situated Commonwealth employees both civil service and noncivil service. The goal is to enhance the employment opportunities for all Commonwealth employees.

E. Summary of Proposal

The proposed amendment is designed to permit additional promotion methods by which noncivil service State employees may compete with civil service State employees for civil service covered positions. Noncivil service State employees would be required to take and pass civil service examinations, and be appointable in accordance with the "rule of three" described by the act.

F. Paperwork

The proposed rulemaking will not add to existing paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its appointing authorities.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 13, 2002, the Commission submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Committees on State Government. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Commission in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed rulemaking, it will notify the Commission within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by the portion of the proposed rulemaking to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Commission, the General Assembly and the Governor of objections raised.

I. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to Randall C. Breon, Deputy for Operations, State Civil Service Commission, (717) 787-5343 or (717) 772-2685 (TT), P. O. Box 569, 320 Market Street, 4th Floor, Strawberry Square Complex, Harrisburg, PA 17108-0569, within 30 days after publication of this notice in the Pennsylvania Bulletin. Comments may be submitted by facsimile to (717) 783-8736.

Comments also may be submitted electronically at rbreon@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must

be contained in the text of the transmission, not in an attachment. If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

The Commission invites comments from interested persons, agencies and organizations at its public hearings on the proposed amendment to be held as follows:

Western Regional Office, 1503 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222-1210  
November 29, 2001, noon

Eastern Regional Office, 10 South 11th Street, 2nd Floor, Philadelphia, PA 19107-3618  
December 3, 2001, noon

Public Hearing Room in the Commission's Main Office Strawberry Square Complex, 4th Floor, Bowman Worth Building, 320 Market Street, Harrisburg, PA 17108-0569  
December 12, 2001, noon

RONALD K. ROWE,  
Executive Director

**Fiscal Note:** 61-04. No fiscal impact. (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART IV. CIVIL SERVICE COMMISSION

CHAPTER 95. SELECTION OF [EMPLOYEES] EMPLOYEES FOR ENTRANCE TO, OR PROMOTION IN, THE CLASSIFIED SERVICE

EXAMINATIONS REQUISITE FOR APPOINTMENT AND PROMOTION

§ 95.7. Promotion procedure.

\* \* \* \* \*

(b) *Methods of promotion.* Vacancies may be filled by promotion in the following ways:

(1) By appointment of probationary or regular [employees] employees of a given appointing authority or between appointing authorities from an appropriate employment list.

\* \* \* \* \*

(3) By appointment of [probationary or regular] Commonwealth [employees from employees] employees of a given appointing authority or between appointing authorities, who appear on an appropriate employment list and who meet eligibility criteria as established by the Director.

\* \* \* \* \*

[Pa.B. Doc. No. 01-2105. Filed for public inspection November 21, 2001, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Final Action Taken under the Southeastern Pennsylvania Groundwater Protected Area Regulations

The Executive Director of the Delaware River Basin Commission (Commission), with the concurrence of the Commonwealth member of the Commission, has taken the following action on a previously received application for a protected area permit.

Persons aggrieved by this action may request a hearing to review the action under Article 6 of the Commission's Administrative Manual—Rules of Practice and Procedure (25 P. S. § 901.1). Requests must be submitted in writing to the Commission Secretary, Delaware River Basin Commission, P. O. Box 7360, West Trenton, NJ 08628-0360. Hearing requests must be filed within 30 days of the action and conform in content to the requirements set forth in Article 6. Copies of the Rules of Practice and

Procedure are available on the Commission's website, [www.drbc.state.nj.us](http://www.drbc.state.nj.us), and by contacting the Commission Secretary at (609) 883-9500 ext. 203.

*Groundwater Protected Area Permit. Docket No. D-91-61 P.A. Renewal.* Ground water withdrawal, East Rockhill Township, Om Chopra, Thomas & Betts Corporation, 8155 T&B Boulevard, Memphis, TN 38125.

The project is located in East Rockhill Township, Bucks County, within the Southeastern Pennsylvania Ground Water Protected Area.

Description of Proposed Action/Activity: Renewal of a ground water withdrawal permit to continue to supply up to 1.32 million gallons (mg)/30 days of water from the applicant's existing Wells Nos. 4 and 5 in the Locketong and Brunswick Formations.

PAMELA M. BUSH,  
*Secretary*

[Pa.B. Doc. No. 01-2106. Filed for public inspection November 21, 2001, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 13, 2001.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-9-01	Stratton Holding Company, Plymouth Meeting, to acquire 100% of the common stock of Semper Trust Company, Plymouth Meeting	Plymouth Meeting	Approved

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-6-01	Embassy Bank of the Lehigh Valley Bethlehem Northampton County	100 Gateway Dr. Bethlehem Northampton County	Commenced Operations

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-6-01	First County Bank Doylestown Bucks County	Doylestown	Approved
	Purchase of assets/assumption of liabilities of one branch office of Third Federal Savings Bank, Newtown, located at: 601 Louis Drive Warminster Bucks County	Doylestown	Approved

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-2-01	Somerset Trust Company Somerset Somerset County	Giant Eagle Store 344 Goucher Street Johnstown Cambria County	Opened
11-8-01	Brentwood Bank Bethel Park Allegheny County	Bethel Park Retirement Living Center 2960 Bethel Church Rd. Bethel Park Allegheny County (Limited Service Facility)	Approved
11-8-01	Firsttrust Savings Bank Conshohocken Montgomery County	Cathedral Village 600 Cathedral Road Philadelphia Philadelphia County (Limited Service Facility)	Filed

**Branch Relocations/Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-6-01	Royal Bank of Pennsylvania Narberth Montgomery County	<i>Into:</i> 1340 Walnut St. Philadelphia Philadelphia County  <i>From:</i> 1230 Walnut St. Philadelphia Philadelphia County	Approved Effective 11-13-01
11-8-01	Commonwealth Bank Norristown Montgomery County	<i>To:</i> Giant Food Store Pottstown Plaza 799 State Road Pottstown Montgomery County  <i>From:</i> Weis Market The Pottstown Center 223 Shoemaker Road Pottstown Montgomery County	Approved  Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-6-01	First Commonwealth Bank Indiana Indiana County	127 S. Juliana St. Bedford Bedford County	Approved
11-6-01	Commonwealth Bank Norristown Montgomery County	530 West Main St. Birdsboro Berks County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2107. Filed for public inspection November 21, 2001, 9:00 a.m.]



### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of December 2001

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of December, 2001, is 7 1/4%.

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

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.68 to which was added 2.50 percentage points for a total of 7.18 that by law is rounded off to the nearest quarter at 7 1/4%.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2108. Filed for public inspection November 21, 2001, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Snowmobile and ATV Advisory Committee; Meeting Notice

A meeting of the Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will be held on Tuesday, December 4, 2001. The meeting will be held at 9:30 a.m. in Room 105, First Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to GERALYN UMSTEAD at (717) 772-9087.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact GERALYN UMSTEAD directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at (800)

654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 01-2109. Filed for public inspection November 21, 2001, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Eastern College for Approval of Changes to its Charter (Articles of Incorporation)

#### *Notice of 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 Eastern College for a Certificate of Authority approving amendments to its Charter (Articles of Incorporation).

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).

Interested parties desiring to initiate hearing procedures must file a notice of intervention, petition to intervene or protest and a request for hearing, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

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) 787-7572 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 inoffice 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 Dr. Evans at (717) 787-7572 to discuss how the Department may best accommodate their needs.

CHARLES B. ZOGBY,  
*Secretary*

[Pa.B. Doc. No. 01-2110. Filed for public inspection November 21, 2001, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

## NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

### NPDES APPLICATIONS

#### PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application, within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

Persons with a disability, who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at (800) 654-5984.

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0051870	Mark and Justine Flynn 1774 Turk Road Doylestown, PA 18901	Bucks County Doylestown Township	Neshaminy Creek	Yes
PA0056120	Sarah Mims 814 Denton Hollow Road West Chester, PA 19382	Chester County Pocopson Township	Pocopson Creek	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0084484	Salisbury Township 5581 Old Philadelphia Pike Gap, PA 17527-9791	Lancaster County Salisbury Township	UNT to Pequea Creek	Y

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0111848 IW	Safety Light Corp. 4150-A Old Berwick Road Bloomsburg, PA 17815	S. Centre Township Columbia County	Susquehanna River 5-D	Yes

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0103586**, Sewage, **Keith A. Whittenberger**, 300 Three Degree Road, Renfrew, PA 16053-9732. This proposed facility is located in Penn Township, **Butler County**.

Description of Proposed Activity: renewal for an existing discharge.

The receiving stream, unnamed tributary to Thorn Creek, is in watershed 20-C and classified for: Cold Water Fishes, 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 (stream and Public Water Supplier) considered during the evaluation is Zelenople Municipal Waterworks on the Connoquenessing Creek at 16 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 400 GPD.

<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		50
Total Suspended Solids	30		60
Fecal Coliform		200/100ml as a geometric average	
Total Residual Chlorine		Monitor and Report	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

**PA0037974**, Sewage, **Washington Township**, 11800 Edinboro Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Activity: discharge of treated sanitary waste from a mobile home park.

The receiving stream, unnamed tributary to Darrows Run, is in watershed 16A and classified for: warm water fishery.

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 considered during the evaluation is Franklin City General Authority, Venango County, located 44 miles below the point of discharge on French Creek.

The proposed effluent limits for Outfall 001 based on a design flow of 0.080 MGD.

<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>	10	15	20
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15
Total Residual Chlorine	0.5		1.2
Fecal Coliform		200/100 ml as a geometric average	
(5-1 to 9-30)		2,000/100 ml as a geometric average	
(10-01 to 4-30)		6.0 to 9.0 standard units at all times	
PH			

The EPA Waiver is in effect.

**PA0222127**, Sewage, **Glade Run United Presbyterian Church**, 1091 Pittsburgh Road, Valencia, PA 16059. This proposed facility is located in Middlesex Township, **Butler County**.

Description of Proposed Activity: a new existing discharge.

The receiving stream, unnamed tributary to Glade Run, is in watershed 20-C and classified for: Warm Water Fishes, 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 (stream and Public Water Supplier) considered during the evaluation is the Zelenople Municipal Waterworks on Connoquenessing Creek located at river mile 22.5 and is located 12.0 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.001500 MGD.

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Phosphorus (4-1 to 10-31)	2		4
NH <sub>3</sub> -N (5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15.0
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	0.18		0.4
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

**PA0000908**, Industrial Waste, **Consumers PA Water Company—Shenango Valley Division**, 665 South Dock Street, Sharon, PA 16146-1835. This proposed facility is located in City of Sharon, **Mercer County**.

Description of Proposed discharge of treated industrial waste, is in watershed 20-A and classified for: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the PA American Water Company intake on the Shenango River located at New Castle, approximately 25 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.2 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	XX				
Total Suspended Solids	300	600	30	60	75
Aluminum	37	75	3.7	7.5	9
Iron	20	40	2	4	5
Manganese	10	20	1	2	2.5
Total Residual Chlorine			0.5		1.6
pH			Within limits of 6.0 to 9.0 standard units at all times.		

XX—Monitor and Report.

The EPA Waiver is in effect.

**PA0020095**, Industrial Waste, **Thomas and Betts Reznor**, 150 McKinley Avenue, Mercer, PA 16137. This proposed facility is located in Mercer Borough, **Mercer County**.

Description of proposed discharge of industrial and stormwater, is in watershed 20-A and classified for: trout stocked 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 Beaver Falls Municipal Authority on the Beaver River located at River Mil 3.8, approximately 45.5 miles below point of discharge.

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0135 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	XX				
Oil and Grease		15		30	
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 001, 003, 004, 006, 007 and 008 are based on a design flow of n/a MGD.

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

These discharges shall consist solely of stormwater. Refer to Special Condition E concerning uncontaminated stormwater outfalls.

XX—Monitor and Report.

In addition to the effluent limits, the permit contains the following major special conditions: Stormwater Conditions. The EPA Waiver is in effect.

**PA0103926**, Industrial Waste, **Component Inter Technologies, Inc.**, 2426 Perry Highway, Hadley, PA 16130-2998. This proposed facility is located in Perry Township, **Mercer County**.

Description of proposed minor discharge of mixed wastes, is in watershed 20-C and classified for: trout stocked 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 the Beaver River located at River Mile 7.6, approximately 20.7 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.06 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 101 are based on a design flow of 0.036 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
TCE			0.047	0.094	0.12
1,1,1 TCA			1.5	3.0	3.8
1,1 DCE			0.26	0.52	0.65
1,1 DCA			XX	XX	XX
1,2 DCE			1.7	3.4	4.3
1,2 DCA			1.703	3.4	4.3
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 201 are based on a design flow of 0.00215 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
CBOD			25		50
TSS			30		60
Fecal					
(5-1 to 9-30)			200		
(10-1 to 4-30)			50,000		
UV Light	XX				
PH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 301 are based on a design flow of 0.06 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	X				
Copper			0.61	1.2	1.5
Lead			0.17	0.34	0.43
TSS			31	60	78
Oil and Grease			15		30
pH			Within limits of 6.0 to 9.0 standard units at all times.		

XX—Monitor and Report.

In addition to the effluent limits, the permit contains the following major special conditions.

The EPA Waiver is in effect.

**PA0103471**, Sewage, **Shenango Township Municipal Authority**, 155 Campground Road, West Middlesex, PA 16159. This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Activity: renewal for an existing discharge.

The receiving stream, Shenango River, is in watershed 20-A and classified for: Warm Water Fishes, 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 (stream and Public Water Supplier) considered during the evaluation is the Western Pennsylvania Water Company intake on the Shenango River located at New Castle, approximately 13.5 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.45 MGD.

*Interim Limits*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-01 to 9-30) (10-01 to 4-30)		200/100 ml as a geometric average 39,600/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.6
pH		6.0 to 9.0 standard units at all times	

The proposed effluent limits for Outfall 001 based on a design flow of 0.509 MGD.

*Final Limits*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 39,600/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.6
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Applications

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

**PA0052035**, Sewage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940.

This application is for renewal of a NPDES permit to discharge treated sewage from the Upper Makefield Township STP in Upper Makefield Township, **Bucks County**. This is an existing discharge to the Delaware River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.1 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform		200 colonies/100 ml as a geometric average	
pH		Within limits of 6.0—9.0 Standard Units at all times	
Total Residual Chlorine	0.5		1.2

The EPA waiver is in effect.

**PA0010961**, Industrial Waste, **SPS Technologies, Inc.**, Highland Avenue, Jenkintown, PA 19046.

This application is for renewal of an NPDES permit to discharge industrial wastewater and stormwater from SPS Technologies Facility in Abington Township, **Montgomery County**. This is an existing discharge to Beader Creek and Tacony Creek.

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

The proposed effluent limits for Outfall 002, based on an average flow of 0.012 mgd are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease		15	30
Temperature			110°F
pH (standard units)	6.0		9.0

## NOTICES

The proposed effluent limits for Outfall 004, based on an average flow of 0.0669 mgd are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease		15	30
Temperature			110°F
Lead, Total		Monitor/Report	
pH (standard units)	6.0		9.0

The proposed effluent limits for Outfall 005 based on an average storm event are as follows: not monitored.

The proposed effluent limits for Outfall 006—008, based on an average flow of 3.33 mgd are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH (standard units)	6.0		9.0

The proposed effluent limits for Outfall 009 based on an average storm event are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		Monitor/Report
COD		Monitor/Report
Oil and Grease		Monitor/Report
pH		Monitor/Report
Total Suspended Solids		Monitor/Report
Total Kjeldahl Nitrogen		Monitor/Report
Total Phosphorus (as P)		Monitor/Report
Iron, Dissolved		Monitor/Report

The EPA Waiver is in effect.

**PA 0050342**, Sewage, **The Quick Group**, 1045 North Westend Boulevard, Quakertown, PA 18951.

This application is for renewal of a NPDES permit to discharge treated sewage from the Regal Oaks WWTP in Upper Pottsgrove Township, **Montgomery County**. This is an existing discharge to Srogels Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.0179 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			30
(5-1 to 10-31)	15		30
(11-1 to 4-30)	25		50
Suspended Solids	30		60
Ammonia (as N)			
(5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15.0
Total Residual Chlorine			
(Years 1 and 2)	Monitor/Report		Monitor/Report
(Years 3, 4 and 5)	0.024		0.048
Fecal Coliform		200 colonies/100 ml as a geometric average	
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
pH		Within limits of 6.0—9.0 Standard Units at all times	

The EPA waiver is in effect.

**PA 0058343**, Sewage, **Bedminster Municipal Authority**, P. O. Box 92, Bedminster, PA 18910.

This application is for issuance of an NPDES permit to discharge treated sewage from the Bedminster Municipal Authority WWTP in Bedminster Township, **Bucks County**. This is a proposed discharge to an unnamed tributary to Deep Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.15 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			20
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Suspended Solids	10	15	20

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia (as N) (5-1 to 10-31)	1.0		2.0
(11-1 to 4-30)	2.0		4.0
NO <sub>2</sub> + NO <sub>3</sub> as N	10.0		20.0
Phosphorus (4-1 to 10-31)	0.8		1.8
(11-1 to 3-31)	Monitor/Report		Monitor/Report
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

The EPA waiver is in effect.

**PA0056944**, Industrial Waste, **Sun Pipeline Company**, 1801 Market Street, 15/10 PC, Philadelphia, PA 19103-1699.

This application is for renewal of an NPDES permit to discharge stormwater from an existing petroleum products pipeline pump station in Upper Chichester Township, **Delaware County**. This is an existing discharge to an unnamed tributary to Marcus Hook Creek.

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

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons		Monitor/Report	
Oil and Grease	15		30

The EPA Waiver is in effect.

**PA0026859**, Sewage, **Pennsylvania American Water Company**, 114 East Lincoln Highway, Coatesville, PA 19320.

This application is for renewal of an NPDES permit to discharge treated sewage from Coatesville STP in South Coatesville Borough, **Chester County**. This is an existing discharge to West Branch Brandywine Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 3.85 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>	<i>Daily Maximum (TUc)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10.5	16	21	
(11-1 to 4-30)	21	32	42	
Total Suspended Solids	30	45	60	
Ammonia (as N) (5-1 to 10-31)	2.0		4.0	
(11-1 to 4-30)	6.0		12.0	
Phosphorus (as P) (4-1 to 10-31)	1.0		2.0	
Copper, Total (Year 1 to Year 3)	Monitor/Report		Monitor/Report	
(Year 4 to Year 5)	0.015		0.03	
Mercury, Total	Monitor/Report		Monitor/Report	
Total Residual Chlorine	0.2		0.7	
Fecal Coliform	200 colonies/100 ml as a geometric average			
Dissolved Oxygen	Minimum of 5.0 mg/l at all times			
pH	Within limits of 6.0—9.0 Standard Units at all times			
Toxicity (Chronic) (Year 1 to Year 3)				Monitor/Report
(Year 4 to Year 5)				2.9

The following requirements are proposed for stormwater Outfalls 002 and 003:

<i>Parameter</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	Monitor/Report
COD	Monitor/Report
Oil and Grease	Monitor/Report
Total Suspended Solids	Monitor/Report
Total Kjeldahl Nitrogen	Monitor/Report



<i>Parameter</i>	<i>Maximum Daily (mg/l)</i>
Total Phosphorus	Monitor/Report
Iron, Dissolved	Monitor/Report
pH (STD Unit)	Monitor/Report

## Other Conditions:

The EPA Waiver is not in effect.

**PA0053554**, Industrial Waste, **Earthgro, Inc.**, 944 Newark Road, Avondale, PA 19311.

This application is for renewal of an NPDES permit to discharge stormwater from the facility in New Garden Township, **Chester County**. This is an existing discharge to West Branch Red Clay Creek.

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

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	Monitor/Report		
Fecal Coliform	Monitor/Report		
Aluminum	Monitor/Report		
Copper	Monitor/Report		
Zinc	Monitor/Report		
Iron (Total)	Monitor/Report		
Iron (Dissolved)	Monitor/Report		
4, 4' DDT	Monitor/Report		
4, 4' DDD	Monitor/Report		
4, 4' DDE	Monitor/Report		
pH	6.0		9.0

The EPA Waiver is in effect.

**PA0051365**, Industrial Waste, **Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This application is for renewal of an NPDES permit to discharge treated process wastewater from sedimentation Basin of Ingrams Mill Water Treatment Plant in East Bradford Township, **Chester County**. This is an existing discharge to East Branch of Brandywine Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.177 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	20	40	50
Iron, Total	2.0	4.0	5.0
Aluminum, Total	4.0	8.0	10.0
Manganese, Total	1.0	2.0	2.5
pH	Within limits of 6.0—9.0 Standard Units at all times		
Total Residual Chlorine	0.35	0.70	0.73
Dissolved Oxygen		Monitor/Report	Monitor/Report (Inst. Min.)
Chloroform	Monitor/Report	Monitor/Report	
Dichlorobromomethane	Monitor/Report	Monitor/Report	
Chlorodibromomethane	Monitor/Report	Monitor/Report	
BOD <sub>5</sub>	Monitor/Report	Monitor/Report	
NH <sub>3</sub> -N	Monitor/Report	Monitor/Report	
Phosphorus as P	Monitor/Report	Monitor/Report	

## Other Conditions:

The EPA Waiver is in effect.

Effective disinfection.

The first downstream potable water intake is for Philadelphia Suburban Water Company (Ingrams Mill Plant) is approximately 1/4 mile away.

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

**PA 0008281**, SIC Code 4911, Industrial Waste, Sewage and Stormwater, **PPL Brunner Island, LLC**, Two North Ninth Street, Mail Stop GENN5, Allentown, PA 18101-1179.

This application is for renewal of an NPDES permit for existing discharges of industrial waste, treated sewage and stormwater to Susquehanna River, Hartman Run and Conewago Creek in Watershed 7-F, in East Manchester Township, **York County**.

The receiving streams are classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Supply Co. located in York County. The discharge is not expected to impact the potable water supply.

There are four industrial waste discharges, one treated sewage discharge, one groundwater spring discharge and 18 stormwater discharges. The proposed effluent limitations and monitoring requirements are as follows:

*Outfall 001—Once Through Cooling Water Discharge (average 621 MGD):*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Heat Rejection Rate		6,960 x 10 <sup>6</sup> BTU/hr	XXX
Total Residual Chlorine Hourly Instream	XXX	XXX	0.2
Temperature Change (°F)	XXX	XXX	Monitor and Report

*Outfall 002—Industrial Waste Treatment Basin Discharge (average 1.8 MGD):*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		From 6.0 to 9.0 inclusive	
Oil and grease	15	XXX	30
Total Suspended Solids	XXX	XXX	50

*Outfall 003—Sewage Treatment Plant Discharge (design 0.032 MGD):*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		From 6.0 to 9.0 inclusive	
Dissolved Oxygen		Minimum of 5.0 mg/l at all times	
Total Residual Chlorine	1.0	XXX	2.0
Total Suspended Solids	30	XXX	60
CBOD <sub>5</sub>	25	XXX	50
Total Phosphorus	2.0	XXX	4.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 100,000/100 ml as a geometric average	

*Outfall 004—Ash Basin No. 6 Polishing Pond Discharge (average 4.7 MGD):*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		From 6.0 to 9.0 inclusive	
Oil and grease	15	20	30
Total Suspended Solids	30	100	XXX

*Outfall 005—Equalization Basin Discharge (emergency only):*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		From 6.0 to 9.0 inclusive	
Oil and grease	XXX	20	30
Total Suspended Solids	XXX	100	XXX

*Outfall 006—Groundwater Spring Discharge:*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	XXX	Monitor and Report	XXX
Total Copper	XXX	Monitor and Report	XXX
Total Nickel	XXX	Monitor and Report	XXX
Total Zinc	XXX	Monitor and Report	XXX
Total Iron	XXX	Monitor and Report	XXX

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<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Arsenic	XXX	Monitor and Report	XXX

*Outfalls SW-1, SW-2, SW-8 and SW-18—Storm Water Discharges:*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	XXX	Monitor and Report	XXX
Total Copper	XXX	Monitor and Report	XXX
Total Nickel	XXX	Monitor and Report	XXX
Total Zinc	XXX	Monitor and Report	XXX
Total Iron	XXX	Monitor and Report	XXX
Total Arsenic	XXX	Monitor and Report	XXX
Total Suspended Solids	XXX	Monitor and Report	XXX
Oil and grease	XXX	Monitor and Report	XXX

Note: These outfalls are representative of the facility's 18 stormwater outfalls.

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

The EPA waiver is not in effect.

**PA 0022047**, Industrial Waste 2865, **Crompton Colors, Inc.**, P. O. Box 341, Reading, PA 19603. This facility is located in Robeson Township, **Berks County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Schuylkill River, is in Watershed 3-C and classified for warm water fishes, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Pottstown Water Supply is located on Schuylkill River, approximately 14 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.22 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S.U.)		From 6.0 to 9.0 inclusive	
Total Suspended Solids	Monitor and Report	Monitor and Report	228
Total Dissolved Solids			
(7-1 to 9-30)	5,000	10,000	12,500
(10-1 to 6-30)	9,000	10,000	12,500
Color (P.C.)	600	875	875
BOD <sub>5</sub>	45	120	120
Temperature	110°F	Monitor and Report	XXX
Osmotic Pressure	Monitor and Report	Monitor and Report	XXX
NH <sub>3</sub> -N			
(5-1 to 10-30)	16	32	40
(11-1 to 4-30)	20	40	40
Total Copper	Monitor and Report	Monitor and Report	2.50
Total Lead	Monitor and Report	Monitor and Report	0.25
Total Chromium	Monitor and Report	Monitor and Report	3.46
Total Nickel	Monitor and Report	Monitor and Report	1.08
Total Zinc	Monitor and Report	Monitor and Report	1.50
Total Cyanide	Monitor and Report	Monitor and Report	1.50
2-Chlorophenol	Monitor and Report	Monitor and Report	0.12
2,4-Dichlorophenol	Monitor and Report	Monitor and Report	0.14
2,4-Dimethylphenol	Monitor and Report	Monitor and Report	0.05
4,6-Dinitro-o-cresol	Monitor and Report	Monitor and Report	0.35
2,4-Dinitrophenol	Monitor and Report	Monitor and Report	0.15
2-Nitrophenol	Monitor and Report	Monitor and Report	0.09
4-Nitrophenol	Monitor and Report	Monitor and Report	0.16
Phenol	Monitor and Report	Monitor and Report	0.03
Acrylonitrile	Monitor and Report	Monitor and Report	0.30
Benzene	Monitor and Report	Monitor and Report	0.17
Carbon Tetrachloride	Monitor and Report	Monitor and Report	0.05
Chlorobenzene	Monitor and Report	Monitor and Report	0.04
Chloroethane	Monitor and Report	Monitor and Report	0.34
Chloroform	Monitor and Report	Monitor and Report	0.06
1,1-Dichloroethane	Monitor and Report	Monitor and Report	0.07
1,2-Dichloroethane	Monitor and Report	Monitor and Report	0.26
1,1-Dichloroethylene	Monitor and Report	Monitor and Report	0.03
1,2-Dichloropropane	Monitor and Report	Monitor and Report	0.14

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
1,3-Dichloropropylene	Monitor and Report	Monitor and Report	0.06
Ethylbenzene	Monitor and Report	Monitor and Report	0.14
Methyl Chloride	Monitor and Report	Monitor and Report	0.24
Methylene Chloride	Monitor and Report	Monitor and Report	0.11
Tetrachloroethylene	Monitor and Report	Monitor and Report	0.07
Toluene	Monitor and Report	Monitor and Report	0.10
1,1,1-Trichloroethane	Monitor and Report	Monitor and Report	0.07
1,1,2-Trichloroethane	Monitor and Report	Monitor and Report	0.07
Trichloroethylene	Monitor and Report	Monitor and Report	0.07
Vinyl Chloride	Monitor and Report	Monitor and Report	0.34
Acenaphthene	Monitor and Report	Monitor and Report	0.07
Acenaphthylene	Monitor and Report	Monitor and Report	0.07
Anthracene	Monitor and Report	Monitor and Report	0.07
Benzo(a)anthracene	Monitor and Report	Monitor and Report	0.03
Benzo(a)pyrene	Monitor and Report	Monitor and Report	0.03
3,4-Benzofluoranthene	Monitor and Report	Monitor and Report	0.03
Benzo(k)fluoranthene	Monitor and Report	Monitor and Report	0.03
Bis(2-Ethylhexyl)phthalate	Monitor and Report	Monitor and Report	0.35
Chrysene	Monitor and Report	Monitor and Report	0.03
1,2-Dichlorobenzene	Monitor and Report	Monitor and Report	0.20
1,3-Dichlorobenzene	Monitor and Report	Monitor and Report	0.05
1,4-Dichlorobenzene	Monitor and Report	Monitor and Report	0.04
Diethyl Phthalate	Monitor and Report	Monitor and Report	0.25
Dimethyl Phthalate	Monitor and Report	Monitor and Report	0.06
Di-n-butyl Phthalate	Monitor and Report	Monitor and Report	0.07
2,4-Dinitrotoluene	Monitor and Report	Monitor and Report	0.31
2,6-Dinitrotoluene	Monitor and Report	Monitor and Report	0.31
Fluoranthene	Monitor and Report	Monitor and Report	0.09
Fluorene	Monitor and Report	Monitor and Report	0.07
Hexachlorobenzene	Monitor and Report	Monitor and Report	0.005
Hexachlorobutadiene	Monitor and Report	Monitor and Report	0.06
Hexachloroethane	Monitor and Report	Monitor and Report	0.07
Naphthalene	Monitor and Report	Monitor and Report	0.07
Nitrobenzene	Monitor and Report	Monitor and Report	0.07
Phenanthrene	Monitor and Report	Monitor and Report	0.07
Pyrene	Monitor and Report	Monitor and Report	0.08
1,2,4-Trichlorobenzene	Monitor and Report	Monitor and Report	0.18

The proposed effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	Monitor and Report	Monitor and Report	Quarterly
Chemical Oxygen Demand	Monitor and Report	Monitor and Report	Quarterly
Total Suspended Solids	Monitor and Report	Monitor and Report	Quarterly
Total Phosphorus	Monitor and Report	Monitor and Report	Quarterly
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report	Quarterly
Oil and Grease	XXX	Monitor and Report	Quarterly
pH (S.U.)	XXX	Monitor and Report	Quarterly
Total Copper	Monitor and Report	Monitor and Report	Quarterly
Dissolved Iron	Monitor and Report	Monitor and Report	Quarterly
Total Lead	Monitor and Report	Monitor and Report	Quarterly
Total Zinc	Monitor and Report	Monitor and Report	Quarterly
Color (P.C.)	Monitor and Report	Monitor and Report	Quarterly
Total Cobalt	Monitor and Report	Monitor and Report	Quarterly
Ethylene Glycol	Monitor and Report	Monitor and Report	Quarterly
Phenol	Monitor and Report	Monitor and Report	Quarterly

The proposed effluent limits for Outfall 003 for a design flow of 0.006 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S.U.)		From 6.0 to 9.0 inclusive	
Total Suspended Solids	Monitor and Report	Monitor and Report	XXX
Temperature	Monitor and Report	Monitor and Report	XXX

In addition to these effluent limits, this permit contains monitoring and reporting of groundwater from monitoring wells number 1, 2, 4, 5, 7, 13, 16 and well number 3.

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

The EPA waiver is not in effect.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**PAS#144813**, Industrial Waste, SIC Code 3272 and 3271, **Centre Concrete Company**, P. O. Box 859, State College, PA 16804-0859. This proposed permit is for an existing facility is located in College Township, **Centre County**.

Description of Industrial Activity: The permittee is classified as a ready-mix concrete batch plant facility.

The receiving streams, Spring Creek is in the State Water Plan watershed (9-C) and is classified for High-Quality Cold Water Fisheries. The nearest downstream public water supply intake for future assumed intake located on Bald Eagle Creek is approximately 31 river miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of which varies with storm rainfall intensity.

This permit establishes effluent limitations in the form of implemented Best Management Practices (BMPs) such as Preparedness, Prevention and Contingency Plans and Erosion and Sedimentation Control Plans which restrict the rates and quantities of pollutants discharged into surface waters of this Commonwealth.

In addition to the effluent limits, the permit contains the following major special condition: none.

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

**PA0002437**, Industrial Waste, SIC, 3312, **Shenango, Inc.**, 200 Neville Road, Pittsburgh, PA 15225-1690.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from the Coke Division in Neville Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Borough W.A., located at 10th and Railroad Streets, Midland, PA 15059, 29.88 miles below the discharge point.

*Outfall 101: existing discharge, design flow of 0.233 mgd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids	384	741	140	270	350
Oil and Grease	32	96	12	35	
Ammonia Nitrogen	267	802	97	291	364
Phenols (4AAP)	4.39	13.2	1.6	4.8	0.6
Benzene		0.057		0.05	
Napthalene		0.057		0.05	0.063
Benzo(a)pyrene		0.057		0.05	0.063
Cyanide	64	192	23	70	88
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

*Outfall 201: existing discharge, design flow of 0.007 MGD*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)	Monitor and Report				
pH	Not less than 6.0 nor greater than 10.5.				

*Outfall 301: existing discharge, design flow of 0.056 MGD*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			115	230	288
pH	Not less than 6.0 nor greater than 10.5.				

Outfall 001: existing discharge, design flow of 8.25 MGD. (Interim Limits)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total Residual Chlorine				0.5	1.25
Cyanide, free				0.55	1.38
Oil and Grease				15	30
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing discharge, design flow of 8.25 MGD. (Final Limits)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total Residual Chlorine				0.5	1.25
Cyanide, free				0.28	0.70
Oil and Grease				15	30
pH	not less than 6.0 nor greater than 9.0				

**PA0004057**, Industrial Waste, SIC 3011, **Specialty Tires of America, Inc.**, 1600 Washington Street, Indiana, PA 15701.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater in Indiana Borough, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary of Whites Run, classified as a cold 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 Saltsburg Municipal Water Works, located at Box 104, 320 Point Street, Saltsburg, PA 15681, 67 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.1 mgd (interim limits).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids	17	34	20		40
Oil and Grease	4.2	8.4	5		10
Copper	Monitor and Report				
Selenium	Monitor and Report				
Silver	Monitor and Report				
Zinc	Monitor and Report				
Temperature (°F)					
Jan. 1-31				68	
Feb. 1-29				69	
Mar. 1-31				71	
Apr. 1-15				75	
Apr. 16-30				76	
May 1-15				79	
May 16-31				79	
Jun. 1-15				83	
Jun. 16-30				84	
Jul. 1-31				85	
Aug. 1-31				84	
Sep. 1-15				83	
Sep. 16-30				82	

Outfall 001: existing discharge, design flow of 0.1 mgd (interim limits)—Continued

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oct. 1-15				78	
Oct. 16-31				78	
Nov. 1-15				75	

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Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Nov. 16-30				74	
Dec. 1-31				70	
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing discharge, design flow of 0.1 mgd (final limits).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Copper			0.009		0.023
Selenium			0.005		0.013
Silver			0.003		0.008
Zinc			0.078		0.195
Temperature (°F)					
Jan. 1-31				40	
Feb. 1-29				40	
Mar. 1-31				46	
Apr. 1-15				51	
Apr. 16-30				55	
May 1-15				57	
May 16-31				61	
Jun. 1-15				65	
Jun. 16-30				69	
Jul. 1-31				72	
Aug. 1-31				71	
Sep. 1-15				67	
Sep. 16-30				61	

Outfall 001: existing discharge, design flow of 0.1 mgd (final limits)—Continued

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oct. 1-15				56	
Oct. 16-31				52	
Nov. 1-15				47	
Nov. 16-30				43	
Dec. 1-31				42	
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		

Outfall 005: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		

Outfall 006: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		

The EPA waiver is not in effect.

**PA0004472**, Industrial Waste, SIC, 3312, **U. S. Steel**, 400 State Street, Clairton, PA 15025.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from the Clairton Works in Clairton, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River and Peters Creek, classified as a warm water and trout stock fisheries with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Pennsylvania American Water Company, located at 410 Cooke Lane, Pittsburgh, PA 15234, 14.5 miles below the discharge point.

*Outfall 001A*: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		
pH			Monitor and Report		

The EPA waiver is not in effect.

*Outfall 007*: existing discharge, design flow of 0.19 mgd.

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

*Outfalls 009 and 010*: existing emergency overflows from the coal yard sedimentation basins.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
	Refer to Part B.1.f.				

*Outfall 011*: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids			35	70	
Iron			3.5	7.0	
Manganese			2.0	4.0	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 022*: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended solids			Monitor and Report		
Iron			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
pH			Monitor and Report		

*Outfall 022A*: new discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids			30		75



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<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Oil and grease			15		30
Benzene			0.001		0.0025
pH	not less than 6.0 nor greater than 9.0				

*Outfall 023: existing discharge.*

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

*Outfall 028: existing discharge.*

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

*Outfall 029: existing discharge.*

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

*Outfall 183: existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids	3,803	7,345	140	270	
Oil and grease	316	949		10	
Ammonia-nitrogen	543	1,841	25	85	
Cyanide	118	216	5.5	10	
Phenols (4AAP)	1.07	2.13	0.05	0.1	
Benzene		0.99		0.05	
Naphthalene		0.97		0.05	
Benzo(a)pyrene		0.97		0.05	
Total residual chlorine			0.5	1.25	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 038: existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total residual chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Outfall 044: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
	The material (solids or other debris) physically or mechanically removed in the backwash operation shall not be returned to the surface waters.				

Outfall 046: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
	There shall be no net addition of pollutants at this outfall.				

Outfall 046A: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 046B: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 046C: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 046D: existing discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 049A: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended solids			Monitor and Report		
BOD <sub>5</sub>			Monitor and Report		
Cadmium			Monitor and Report		
Oil and grease			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Cyanide, free			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		
Phenol			Monitor and Report		
Phosphorous			Monitor and Report		

*Outfall 054A: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended solids			Monitor and Report		
BOD <sub>5</sub>			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Cyanide, free			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		
Phenol			Monitor and Report		

*Outfall 068: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended solids			Monitor and Report		
BOD <sub>5</sub>			Monitor and Report		
Oil and grease			Monitor and Report		
Iron			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		

*Outfall 081: existing discharge. Final limits*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Benzo(a)pyrene			0.003		0.0075
pH	not less than 6.0 nor greater than 9.0				

*Outfall 084: existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids			Monitor and Report		
Temperature (°F)				110	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 085: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		
Phenol			Monitor and Report		
Total residual chlorine			Monitor and Report		

*Outfall 085A: new discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids			30		75
Oil and grease			15		30
Benzene			0.001		0.0025

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<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Naphthalene			0.3		0.75
pH	not less than 6.0 nor greater than 9.0				

*Outfall 086: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total residual chlorine			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Phenol			Monitor and Report		

*Outfall 087: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		

*Outfall 088: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended solids			Monitor and Report		
Oil and grease			Monitor and Report		
Iron			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		
Phenol			Monitor and Report		

*Outfall 089: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended solids			Monitor and Report		
Oil and grease			Monitor and Report		
Iron			Monitor and Report		
Benzo(a)pyrene			Monitor and Report		
Naphthalene			Monitor and Report		
pH	Monitor and Report				

*Outfalls 090 and 091: new discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids			30		75
Oil and grease			15		30
Benzene			0.001		0.0025
Naphthalene			0.3		0.75
pH	not less than 6.0 nor greater than 9.0				

Outfalls 002A, 073 and 083: existing stormwater discharges.

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

These outfalls are permitted to discharge uncontaminated stormwater runoff from areas in and around the facility. There are at this time no specific effluent limitations on the outfalls.

Outfalls 020, 020A, 030, 031 B, 031 C, 031 D, 033, 033A, 035A, 035B, 035C, 035D, 036, 037, 037A, 039, 040, 043, 045, 047A, 048, 049, 050, 051, 054B, 054C, 055, 056, 058, 060 and 061: existing discharges.

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

These outfalls are permitted to discharge uncontaminated steam condensate. There are at this time no specific effluent limitations on the outfalls.

Outfall 035, 045A and 057: existing discharge.

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

These outfalls are permitted to discharge uncontaminated miscellaneous wastewater. There are at this time no specific effluent limitations on the outfalls.

**PA0094510**, Industrial Waste, SIC, 3312, **U. S. Steel, Mon Valley Works**, 13th and Braddock Avenues, Braddock, PA 15104.

This application is for Renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from the Edgar Thomson Plant in North 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 PA American Water Company—Becks Run Intake, located at 410 Cooke Lane, Pittsburgh, PA 15234, 4.4 miles below the discharge point.

Outfall 005: existing discharge, design flow of 110 mgd. Final Limits

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total residual chlorine				0.3	0.75
COD	Monitor and Report				
Suspended solids	Monitor and Report				
Iron	Monitor and Report				
Manganese	Monitor and Report				
Zinc	Monitor and Report				
Fluoride	Monitor and Report				

The material (solids and other debris) physically or mechanically removed in the backwash operation shall not be returned to surface waters.

pH not less than 6.0 nor greater than 9.0

Outfall 006: existing discharge, design flow of 35 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total residual chlorine				0.5	1.25
Iron	Monitor and Report				
Zinc	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

*Outfall 106:* existing discharge, design flow of 0.07 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids	149	448	15	40	50
Ammonia-nitrogen	17	50	10	30	37
Cyanide	5	10	1	2	2.5
Phenols (4AAP)	0.17	0.33	0.1	0.2	0.25
Lead	0.50	1.51	0.25	0.75	0.94
Zinc	0.75	2.26	0.30	0.90	1.13
pH	not less than 6.0 nor greater than 10.0				

*Outfall 008:* existing discharge, design flow of 1.2 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total residual chlorine			0.5		1.25
Iron	Monitor and Report				
Zinc	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

*Outfall 009:* existing discharge, design flow of 4 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Temperature (°F)				110	
Total residual chlorine			0.5		1.25
Suspended solids				Monitor and Report	
Zinc			0.711	1.42	1.78
Fluoride	Monitor and Report				
Iron	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

*Outfall 109:* existing discharge, design flow of 0.05 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids	358	1,071	25	70	88
Oil and grease	3.2	10	10	30	
Lead	2.25	6.74	0.30	0.90	1.13
Zinc	3.38	10.12	0.45	1.35	1.69
pH	not less than 6.0 nor greater than 9.0				

*Outfall 209:* existing discharge, design flow of 0.1 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended solids	31	86	25	70	88
Oil and grease	12	37	10	30	
Lead	0.37	1.10	0.30	0.90	1.13
Zinc	0.55	1.65	0.45	1.35	1.69
Fluoride	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 309 and 409: existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Emergency overflows. The permittee is required to comply with the requirements of Standard Condition B.1.f.					

The EPA waiver is not in effect.

**PA0217522**, Sewage, **Municipal Authority of the Borough of Smithton**, P. O. Box 342, 615 Center Street, Smithton, PA 15479-0342.

This application is for renewal of an NPDES permit to discharge treated sewage from Smithton Borough Sewage Treatment Plant in Smithton Borough, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.066 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.5	5.3		7.0
(11-1 to 4-30)	10.5	15.8		21.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,500/100 ml as a geometric mean			
Total Residual Chlorine	0.6			1.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0002135**, Industrial Waste. **Penreco**, 138 Petrolia Street, Karns City, PA 16041. This proposed facility is located in Karns City Borough, **Butler County**.

Description of Proposed major discharge of treated industrial waste, treated stormwater and untreated stormwater, is in watershed 17-C and classified for: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Allegheny River and the Butler District, Pennsylvania American Water Company located at Emlenton, approximately 21.5 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.347 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	XX				
CBOD <sub>5</sub>					
(5-1 to 10-31)	25	50	15	30	37
(11-1 to 4-30)	86	172	30	60	74
TSS	125	375	45	135	135
Oil and Grease	41.7	85	15		30
Ammonia-Nitrogen					
(5-1 to 10-31)	3.6	7.2	1.3	2.6	3.25
(11-1 to 4-30)	10.8	21.7	3.9	7.8	9.75
Dissolved Oxygen	greater than 5.0 mg/l at all times				
Aluminum	1.9	2.91	0.65	1.3	1.6
Iron	5.6	11.1	2.0	4.0	5.0
Manganese	2.8	5.6	1.0	2.0	3.0
Copper	0.05	0.1	0.018	0.036	0.045
Lead	0.03	0.05	0.01	0.02	0.03
Zinc	0.16	0.42	0.058	0.15	0.15

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature			Daily Average		
January 1-31			53°F		
February 1-29			47°F		
March 1-31			61°F		
April 1-15			80°F		
April 16-30			108°F		
May 1-15			82°F		
May 16-31			99°F		
June 1-15			85°F		
June 16-30			87°F		
July 1-31			84°F		
August 1-31			80°F		
September 1-15			74°F		
September 16-30			72°F		
October 1-15			66°F		
October 16-31			61°F		
November 1-15			65°F		
November 16-30			53°F		
December 1-31			47°F		
Fecal Coliform			200/100 ml		
Phenol	0.03	0.06	0.012	0.021	
TRC			0.2		0.7
Prochem 4H2			3.2		8
Petromeen OS-16			6.1		15.3
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 002 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 004 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (MGD)</i>
Flow (MGD)	XX				
TSS			30		50
Oil and Grease			15		30
Total Iron			1.4	2.8	3.5
Manganese			1.0	2.0	2.5
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 005 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
CBOD <sub>5</sub>			XX		
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		



## NOTICES

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 006 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 007 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 008 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 009 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 010 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 011 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 012 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		

## NOTICES

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 013 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 014 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 031 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 032 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 033 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 034 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 020 are based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 022 are based on a design flow of varies MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	XX				
TSS			XX		
TOC			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

The proposed effluent limits for Outfall 023 are based on a design flow of varies MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	XX				
CBOD <sub>5</sub>					
TSS			XX		
Ammonia as Nitrogen			XX		
Nitrate-Nitrite Nitrogen			XX		
Oil and Grease			15		30
Aluminum			XX		
Iron			XX		
Manganese			XX		
Copper			XX		
Zinc			XX		
pH			XX		

XX—Monitor and Report.

In addition to the effluent limits, the permit contains the following major special conditions.

The EPA Waiver is not in effect.

**WATER QUALITY MANAGEMENT PERMITS  
CONTROLLED INDUSTRIAL WASTE AND SEWAGE  
WASTEWATER  
APPLICATIONS UNDER THE CLEAN STREAMS  
LAW**

**PART II PERMITS**

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

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management

Program Manager will make a final determination regarding the applications after a complete review. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

**I. Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

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

**WQM Permit No. 1501419**, Sewerage, **East Whiteland Township**, 209 Conestoga Road, Frazer, PA 19355. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a sewer extension and pump station.

**WQM Permit No. 1501420**, Sewerage, **East Brandywine Township**, 1214 Horseshoe Pike, Downingtown, PA

19335. This proposed facility is located in East Brandywine Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of the Bondsville Road pump station.

**WQM Permit No. 4686435**, Sewerage, **Conshohocken Borough Authority**, 601 East Elm Street, Conshohocken, PA 19428. This proposed facility is located in Conshohocken Borough, **Montgomery County**.

Description of Proposed Action/Activity: Increase flow at existing treatment plant.

**WQM Permit No. 1501417**, Sewerage, **Nantmeal-Warwick Sewer Company Inc.**, 26 E. Main Street, Elverson, PA 19520. This proposed facility is located in Elverson Borough, **Chester County**.

**WQM Permit No. 4601415**, Sewerage, **Lower Providence Township**, 26 E. Main Street, Elverson, PA 19520. This proposed facility is located in Elverson Borough, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a low-pressure sewer collection system.

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

**WQM Permit No. 0501408**, Sewerage, **Broad Top Township**, 187 Municipal Road, P. O. Box 57, Defiance, PA 16633-0057. This proposed facility is located in Broad Top Township, **Bedford County**.

Description of Proposed Action/Activity: Construction of a small flow sewage treatment system to serve the Hess Trailer Park.

**WQM Permit No. 0501409**, Sewerage, **Gary Twigg**, 213 Fillo Lane, Bedford, PA 15522. This proposed facility is located in Harrison Township, **Bedford County**.

Description of Proposed Action/Activity: Construction of a small flow sewage treatment system to serve their single family residence on State Route 31.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 4201201**, Industrial Waste, **Crompton Corporation**, One American Lane, Greenwich, CT 06831. This proposed facility is located in City of Bradford, **McKean County**.

Description of Proposed Action/Activity: This project is for groundwater treatment system equipment upgrades.

**WQM Permit No 6201409**, Sewerage, **Gloria M. and Martin Hancock**, 14 Catherine Lane, Warren, PA 16365. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No 2001419**, Sewerage, **Ronald J. King**, 1213 W. Fir Drive, Latrobe, PA 15650-2715. This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

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#### **NPDES Stormwater Individual Permit**

The following parties have applied for an NPDES permit to discharge stormwater associated with a con-

struction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

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

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

**NPDES Permit PAS10 G494**, Stormwater, **Hillside Farm**, 116 Thunderhill Road, Lincoln University, PA 19352 has applied to discharge stormwater associated with a construction activity located in New London Township, **Chester County** to Hodgson Run (HQ-TSF-MF).

**NPDES Permit PAS10 G495**, Stormwater, **Baldwin Subdivision**, 1275 West Kings Highway, Coatesville, PA 19320 has applied to discharge stormwater associated with a construction activity located in West Caln Township, **Chester County** to Indian Spring Run (EV).

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10U161	Louis Pektor, President Ashley Development Corp. 559 Main St. Bethlehem, PA 18018	Northampton County Bethlehem Township	Bushkill Creek HQ-CWF
<i>Southcentral Region: Water Management Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.</i>			
<i>Mifflin County Conservation District: 20 Windmill Hill Rm. 4, Burnham, PA 17009, (717) 248-4695.</i>			
<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS104511	Pennsylvania Department of Transportation District 2-0 1924-30 Daisy Street P. O. Box 342 Clearfield, PA 16830	Fermanagh Township Lack Township Juniata County  Derry Township Mifflin County	Juniata River Horning Run Macedonia Run Susquehanna River WWF WWF HQ WWF

### NOTICE OF INTENT (NOI) FOR COVERAGE UNDER CAFO NPDES

#### GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage under the Department's CAFO (concentrated animal feeding operation) General NPDES Permit—PAG 12 to develop and operate a facility that may discharge wastewater into the surface waters of this Commonwealth.

The EPA Region III Administrator has not waived the right to review or object to this permit action under the waiver provision 40 CFR 123.24(d).

The notice of intent and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the Regional Office noted. Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The new or renewal notice of intent, including other information submitted with the applications, is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

Persons with a disability, who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at (800) 654-5984.

### CAFO Notices of Intent Received

*Northcentral Region: Water Management Program Manager; 208 West Third Street, Williamsport, PA 17701.*

**PAG 124810, CAFO, Gerald and Libby Vargason,** R. R. 2, P. O. Box 77, Wyalusing, PA 18853. This proposed facility is located in Terry Township, **Bradford County**.

Description of Size and Scope of Proposed Operation/Activity: The application is for a swine finishing operation, which will house approximately 600 animal equivalent units. Two finishing barns with concrete manure storage vaults underneath the main floor of each barn will be utilized. An estimated 1.8 million gallons of manure per year will be produced. Manure will be spread on a total of 468 acres owned or under agreement by the applicant. The Bradford County Conservation District approved the Nutrient Management Plan on November 6, 2001.

The operation will be conducted within the watershed of an unnamed tributary of Sugar Run. The tributary is classified for Cold Water Fishery aquatic life uses.

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and The Clean Stream Law constitutes compliance the state narrative water quality standards.

### PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on the permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Comment responses

should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

The permit application and any related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER  
MINOR AMENDMENT**

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

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Application No. 0287505-A3, Minor Amendment.**

Applicant	The Municipal Authority of the Township of Harmar 200 Pearl Avenue Cheswick, PA 15024
(Township or Borough)	Harmar Township
Responsible Official	Thomas Lukasik, Manager The Municipal Authority of the Township of Harmar 200 Pearl Avenue Cheswick, PA 15024
Type of Facility	Addition of potassium permanganate as backup to ozone system
Consulting Engineer	Gannett Fleming, Inc. 601 Holiday Drive Pittsburgh, PA 15220
Application Received Date	November 7, 2001
Description of Action	Iron/Manganese Treatment

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Lock Haven Substation**, Castanea Township, **Clinton County**. PPL Electric Utilities, Two N. Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate soil contaminated with PCBs. The applicant proposes to remediate the site to meet the Site-specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lock Haven Express* on October 10, 2001.



## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the **Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003)** and the **Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6)** and regulations to transport infectious and chemotherapeutic waste.

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

### RENEWAL APPLICATIONS RECEIVED

**Genesis Environmental, Ltd.**, 380 Locust Street, McKeesport, PA 15132. License No. **PA-HC 0203**. Received on October 31, 2001.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications Received 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**.

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

**Permit Application No. 301345. D&P Associates**, 481 Crossfield Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. This application was received for a closure plan for a residual waste disposal impoundment located in Upper Merion Township, Montgomery County. The application was received in the Southeast Regional Office on November 8, 2001.

## AIR QUALITY

### NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

DEP has received applications for plan approvals and/or operating permits from the following facilities.

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

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the DEP Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the DEP providing a copy of the proposed document to that person or within 30 days of its publica-

tion in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with DEP Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If DEP schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

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

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**01-03024: Tucker Industrial Liquid Coatings** (P. O. Box 1, East Berlin, PA 17316) for construction of three spray paint booths each controlled by a dry panel filter in East Berlin Borough, **Adams County**.

**21-05064B: Atlas Roofing Corp.** (802 Highway 19 North, Suite 190, Meridian, MS 39307) for installation of a regenerative thermal oxidizer to control emissions from its foam laminator at their polyisocyanurate foam manufacturing facility in Camp Hill Borough, **Cumberland County**.

**22-03051: Buse Funeral Home** (9066 Jonestown Road, Grantville, PA 17028) for construction of a human cremation chamber in East Hanover Township, **Dauphin County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**14-00005A: Department of Corrections—Rockview State Correctional Institution** (Box A, Bellefonte, PA 16823-0820) for construction of a 52.5 million Btu per hour natural gas/#2 fuel oil-fired boiler in Benner Township, **Centre County**. This boiler is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**04-00516C: Vesuvius McDanel Co.** (510 9th Avenue, Beaver Falls, PA 15010) for construction of Gas-Fired Kiln at Beaver Falls Plant in Beaver Falls, **Beaver County**.

**04-00439B: Arrow Terminals L.P.** (2701 Midland-Beaver Road, Industry, PA 15052) for operation of pro-

cessing crushing/screening at Industry Terminal Lot #1 in Industry Borough, **Beaver County**.

**32-00230A: Texas Eastern Transmission, L.P.** (P. O. Box 1642, Houston, TX 77251) for construction of turbine at Armagh Compressor Station in West Wheatfield Township, **Indiana County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**37-152A: New Castle Refractories** (915 Industrial Street, New Castle, PA 16102) for post-construction of two shuttle kilns (11.48 MM Btu/hour/kiln heat input by natural gas) in New Castle, **Lawrence County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**23-0077A: County of Delaware** (340 North Middletown Road, Lima, PA 19037) for installation of a cogeneration process at their Fair Acres Complex facility in Middletown Township, **Delaware County**. This Plan Approval is for the installation of a cogeneration process that was to be originally installed under Plan Approval 23-0077; The County of Delaware did not begin construction by the expiration date of Plan Approval 23-0077; therefore, the County of Delaware is reapplying for approval. The facility is a synthetic minor facility. The proposed cogeneration process will be used to create electricity as a partial supply for the facility and steam for both heating and cooling purposes at the facility. The natural gas-fired engine associated with the cogeneration process is equipped with turbocharger, aftercooler and automatic electronic air/fuel ratio controller. Potential emissions of nitrogen oxides shall be less than 7.5 tons per year. Potential emissions of carbon monoxide shall be less than 11.0 tons per year. Potential emissions of volatile organic compounds, particulate matter and sulfur oxides will each be less than 2 tons per year. The Plan Approval and Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**40-320-014: Quebecor World Hazleton, Inc.** (Route 924, Humboldt Industrial Park, R. R. 1 Box 409Z, Hazleton, PA 18201) for modification of binding operations in Hazleton, **Luzerne County**. This facility is a non-Title V facility. Modification involves exhausting the existing paper dust collection system (air handling system) into the atmosphere instead of back into the plant. Expected particulate emissions will be less than 0.02 grain/dscf from the binding operation air handling systems. The company will monitor the pressure drop across the baghouses and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Michael Saffko, Facilities Permitting Chief, (570) 826-2531.*

**39-318-108: SKW-MBT Management, Inc.** (Allentown Equipment-Division of Master Builders, Inc., 421 Schantz Road, Allentown, PA 18104) for operation of a paint spray booth and associated air cleaning device in Lower Macungie Township, **Lehigh County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Leif Ericson, Program Manager, (717) 705-4702.*

**21-03048: Carlisle Small Animal Veterinary Clinic** (25 Shady Lane, Carlisle, PA 17013) for operation of its animal crematory in Middlesex Township, **Cumberland County**. The crematory has the potential to emit 2 tons of NOx per year. The Natural Minor operating permit will include monitoring and record keeping requirements, emission restrictions and work practice standards designed to keep the site operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**24-00136: National Fuel Gas Supply Corp.—Sackett Compressor Station** (Sackett Road, Highland Township, PA 16365) for a Synthetic Minor Permit to operate a Natural Gas Compressor Station in Highland Township, **Elk 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 Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before 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 certification.

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. 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, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-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.

#### *Coal Applications Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**17960119 and NPDES Permit No. PA 0220469, E. P. Bender Coal Co., Inc.** (P. O. Box 594, Main and Lehmier Streets, Carrolltown, PA 15722), renewal of an existing bituminous surface mine permit in Jordan Township, **Clearfield County** affecting 154 acres. Receiving streams: tributary to Comfort Run and Comfort Run to North Witmer Run to Clearfield Creek to West Branch Susquehanna River. Application received: October 16, 2001.

**17010114. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine-auger permit in Penn Township, **Clearfield County** affecting 128 acres. Receiving streams: unnamed tributary to Bell Run and Bell Run classified for the following uses: Cold Water Fishery (CWF). The first downstream potable water supply intake from the point of discharge is: None within 10 miles downstream of permit. Application received: October 26, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**65970102. V. P. Smith Company, Inc.** (P. O. Box 242, Ligonier, PA 15658-0242). Renewal application for reclamation only of a bituminous surface mine located in Murrysville Borough, **Westmoreland County**, affecting 59 acres. Receiving streams: unnamed tributary to Steels Run to Turtle Creek to Monongahela River, classified for the following use: cold water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 2, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**32010113 and NPDES Permit No. PA0249106. T. L. H. Coal Company**, R. D. #1, Box 170, Rochester Mills, PA 15771, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in West Mahoning Township, **Indiana County**, affecting 30.1 acres. Receiving streams: unnamed tributary to Mahoning Creek and Mahoning Creek classified for the following uses: cold water fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 5, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**33960107. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip operation in Union Township, **Jefferson County** affecting 17.8 acres. Receiving streams: Welch Run, classified for the following uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Revision to add auger mining. Application received: October 29, 2001.

#### *Coal Permits Returned*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**17990115 and NPDES Permit No. PA0238406. Hepburnia Coal Company**, P. O. Box I, Grampian, PA 16838, commencement, operation and restoration of a bituminous surface mine-auger permit located in Bell Township and Mahaffey Borough, **Clearfield County** affecting 67 acres. Receiving streams: unnamed tributaries to Chest Creek and Chest Creek. Application received: August 16, 1999.

#### *Noncoal Applications Received*

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**26800401. Carbon Fuels Resources, Inc.** (200 College Drive, Suite 300, Lemont Furnace, PA 15456). Renewal application received for continuation of operation and reclamation of a noncoal surface mine located in Georges Township, **Fayette County**, affecting 91.1 acres. Receiving streams: Brownfield Hollow to Mountain Creek to Georges Creek to Monongahela River, classified for the following use: cold water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 7, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**56010301 and NPDES Permit No. PA0249092. New Enterprise Stone & Lime Company, Inc.**, Box 77, Church Street, New Enterprise, PA 16664, commencement and restoration of a bituminous noncoal surface mine and for discharge of treated mine drainage in Jefferson Township, **Somerset County**, affecting 151.5 acres. Receiving streams: unnamed tributaries to Kooser Run and Kooser Run to Laurel Hill Creek classified for the following uses: high quality-cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 30, 2001.

#### **PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT**

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immuni-

ties from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection (Department).

The following project proposal has been received by the Department. A copy of the proposals is available for inspection at the office indicated before the proposal.

Written comments or objections may be submitted by any person or any office 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.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

#### *Project Proposals Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**EGS-17001, West Branch Sportsmen Club** (R. R., Box 685, Morrisdale, PA 16858). A project to treat mine drainage pollution in Graham Township, **Clearfield County** affecting 3 acres, receiving stream—Hubler Run. Project proposal received: September 25, 2001.

### **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality 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 Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment 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 before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8 a.m.

and 4 p.m. on each working day at the office noted before the application.

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

### **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 (33 U.S.C.A. § 1341(a)).**

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E46-897. Township of Abington**, 1176 Old York Road, Abington, PA 19001, Abington Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain the following activities in and along an unnamed tributary to Pennypack Creek (TSF, MF) associated with Phase 3 of the Rockledge Flood Control project.

1. To remove the existing timber wall along the existing channel No. 2.
2. To construct and maintain 165 linear feet of twin 8-foot by 3.5-foot stream enclosure located just upstream of and connecting to the Irvin Road stream crossing.
3. To construct and maintain a new head wall associated with the enclosure.

The site is located approximately 100 feet west of the intersection of Irvin Road and Mary Avenue (Frankford, PA USGS Quadrangle N: 16.8 inches; W: 12.5 inches).

**E46-898. Pennsylvania Department of Transportation Engineering District 6-0**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Towamencin and Upper Gwynedd Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the improvement and widening of the Valley Forge Road (SR 0363) and Sumneytown Pike intersection from two lane sections to five lane sections. Project limits along Valley Forge Road will begin from Jacks Lane (Lansdale, PA Quadrangle N: 18.0 inches; W: 9.7 inches) and will end approximately 600 feet beyond the Snyder Road intersection (Lansdale, PA Quadrangle N: 20.2 inches; W: 7.9 inches).

To replace and maintain an existing 26-foot wide, 33.8 foot single span T-beam bridge with a 85-foot wide, 62.3-foot single span prestressed spread box beam bridge over Towamencin Creek (TSF) along Valley Forge Road at Station 99 + 660 (Lansdale, PA Quadrangle N: 18.5 inches; W: 9.31 inches). Work will also include improvement of the channel approximately 112 feet downstream and 66 feet upstream associated with bridge replacement. The project will include installation of stormwater facilities associated with the bridge and roadway improvement. The project is associated with Sumneytown Pike improvements (Permit No. E46-899).

**E46-899. Montgomery County Courthouse**, P. O. Box 311, Norristown, PA 19404-0311, Towamencin and Upper Gwynedd Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the improvement and widening of the Valley Forge Road (SR 0363) and Sumneytown Pike intersection from two lane sections to five lane sections. Project limits along Summertown Pike will begin from Kriebel Road (Lansdale, PA Quadrangle N: 20.2 inches; W: 10.5 inches) and will end approximately 1100 feet southeast of Supplee Road (Lansdale, PA Quadrangle N: 17.7 inches; W: 7.8 inches).

1. To extend and maintain an existing 62.3 linear-foot of 20-foot wide arch culvert in and along Towamencin Creek (TSF), consisting of a 33 linear-foot extension on the upstream end along Sumneytown Pike at Station 10 + 190 (Lansdale, PA Quadrangle N: 18.8 inches; W: 8.7 inches).

2. To extend and maintain an existing 45-linear foot long 72-inch diameter reinforced concrete pipe in and along tributary to Towamencin Creek (TSF) consisting of a 50 linear-foot extension on the upstream end at Station 9 + 820 (Lansdale, PA Quadrangle N: 18.3 inches; W: 8.2 inches).

The project will include installation of stormwater facilities associated with the arch culverts and roadway improvement. This project is associated with Valley Forge Road improvements (Permit No. E46-898).

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E01-229. Thomas Weaver, Adams County Commissioners**, 111-117 Baltimore Street Gettysburg, PA 17325 in Mount Pleasant and Oxford Townships, **Adams County**, ACOE Baltimore District.

To rehabilitate and maintain Adams County Bridge No. 6 on T-428 Road (Storms Store Road) over South Branch of Conewago Creek (WWF). The rehabilitation at the spandrel walls and arch barrels, including the removal and replacement of fill, jacketing of foundations and reconstruction of the approach roadways (McSherrystown, PA Quadrangle N: 15.0 inches; W: 11.2 inches) in Mount Pleasant and Oxford Townships, Adams County.

**E21-332. Mark Burkhead, Pennsylvania Department of Transportation 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in West Pennsboro and Upper Frankford Townships, **Cumberland County**, ACOE Baltimore District.

To remove the existing four span concrete bridge and to construct and maintain a new three span prestressed concrete spread box beam bridge, each span has 72.416 feet, 72.416 feet and 71.33 feet respectively, over Conodoguinet Creek (WWF) on SR 4021, Section 003, Station 67+62.50 (Blaserville Road) (Plainfield, PA Quadrangle N: 15.8 inches; W: 14.92 inches) in West Pennsboro and Upper Frankford Townships, Cumberland County.

**E22-436. Mobile Pipe Line Company, Malvern Terminal**, 8 South Main Road, Malvern, PA 19355 in Lower Swatara and Londonderry Townships, **Dauphin County**, ACOE Baltimore District.

To construct No. 2A bedding stone, a cabled articulated concrete block mat over an existing 8-inch diameter high pressure petroleum products pipeline back filled up-

stream and downstream with R-4 size rock riprap in the channel of Swatara Creek (WWF) for the purpose of providing protection to the pipeline located at SR 2003 bridge (Middletown, PA Quadrangle N: 15.9 inches; W: 13.4 inches) in Lower Swatara and Londonderry Townships, Dauphin County.

**E36-719. Martic Township**, 370 Steinman Farm Road, Pequea, PA 17565 in Martic Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a 15-foot long, 71-inch wide, 47-inch high corrugated metal pipe culvert extension along Clark Run (HQ-CWF) at a point located along Creamery Road approximately 300 feet south of the intersection of Creamery Road and Martic Heights Road (Conestoga, PA Quadrangle N: 1.6 inches; W: 11.5 inches) in Martic Township, Lancaster County.

**E67-705. Timothy Pasch**, 2645 Carnegie Road, York, PA 17402 in Springettsbury Township, **York County**, ACOE Baltimore District.

To construct and maintain a bridge with a span of 30 feet across an unnamed tributary to Kreutz Creek (WWF) for the purpose of constructing Kingston Road extension in Hunters Crossing Residential Development located east of Brookedge Road (York, PA Quadrangle N: 17.7 inches; W: 3.3 inches) in Springettsbury Township, York County.

**E67-710. Mark Burkhead, Pennsylvania Department of Transportation 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in Carroll Township, **York County**, ACOE Baltimore District.

To remove the existing concrete arch bridge and to construct and maintain a new concrete bridge with a single span of 80 feet with a minimum underclearance of 10.8 feet across Stony Run (CWF) on SR 4028, Section 001 (Siddensburg Road). The new bridge will be constructed about 75 feet upstream of the old bridge in order to realign Siddensburg Road located about 1.3 miles east from its intersection with US 15 (Mechanicsburg, PA Quadrangle N: 1.9 inches; W: 0.05 inch) in Carroll Township, York County.

**E67-711. Mr. and Mrs. Robert Wozniewicz**, 14 Pin Oak Drive, Boiling Springs, PA 17007 in Fairview Township, **York County**, ACOE Baltimore District.

To construct and maintain a low flow type culvert stream crossing of an unnamed tributary to the Yellow Breeches Creek (CWF) for the purpose of providing access to a private residential property located along Brenneman Drive about 1.5 west of its intersection with Lisburn Road (Lemoyne, PA Quadrangle N: 5.28 inches; W: 5.09 inches) in Fairview Township, York County.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**E19-220. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. SR 2018 Section 004 unnamed tributary to Catawissa Creek bridge replacement, in Main Township, **Columbia County**, ACOE Susquehanna River Basin District (Catawissa, PA Quadrangle N: 17.75 inches; W: 4.625 inches).

To: a) remove existing structure; and b) construct and maintain a 17 foot by 7 foot precast reinforced concrete box culvert on a skew of 90° in an unnamed tributary to Catawissa Creek located 3.27 miles east of the intersec-

tion of SR 0487 and SR 2018 along SR 2018, in Main Township, Columbia County. This project proposes to have a minimal impact on the unnamed tributary to Catawissa Creek, which is designated Cold Water and Trout Stocked Fishery. This project does not propose to impact any jurisdictional wetlands.

**E41-490. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. SR 3010 Section 005 Canoe Run bridge replacement, in Mifflin Township, **Lycoming County**, ACOE Susquehanna River Basin District (Linden, PA Quadrangle N: 22.1 inches; W: 14.4 inches).

To: a) remove existing structure; and b) construct and maintain a 16 foot by 6 foot by 6 foot reinforced concrete box culvert on a skew of 70 degrees in Canoe Run located 1.0 mile west of the intersection of SR 0287 and SR 3010 along SR 3010 in Mifflin Township Lycoming County. This project proposes to have a minimal impact on Canoe Run which is designated Warm Water Fishery. Canoe Run is a tributary to Larrys Creek which is designated Wild Trout Stream. This project does not propose to impact any jurisdictional wetlands.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E26-152 A1. Anthony Fugozzotto**, 413 West Church Avenue, Masontown, PA 15461. Borough of Masontown, **Fayette County**, ACOE Pittsburgh District.

To amend Permit No. E26-152 to include the construction and maintenance of a 20-foot x 25-foot launching ramp along the right bank of the Monongahela River at approximately River Mile 79.3 (Masontown, PA Quadrangle N: 18.35 inches; W: 17.5 inches).

**E26-291. John K. Diamond**, 503 East Pittsburgh Street, Greensburg, PA 15601. Nicholson Township, **Fayette County**, ACOE Pittsburgh District.

To construct and maintain a single span bridge having a clear span of 30 feet and an underclearance of 6 feet across Jacobs Creek (WWF) to provide access from T-401 to the applicant's property. The proposed structure is located approximately 1 mile southwest of the intersection of T-401 and S.R. 3010 (Smithfield, PA Quadrangle N: 13.8 inches; W: 17.33 inches)

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E27-066, Forest County Commissioners**, Forest County Courthouse, Tionesta, PA 16353, Bear Run Road Bridge Replacement, in Barnett Township, **Forest County**, ACOE Pittsburgh District (Marienville, PA Quadrangle N: 2.9 inches; W: 8.5 inches).

The project includes the replacement of the existing bridge carrying SR 2008 over Maple Creek (HQ-CWF),

Barnett Township, Forest County. The bridge is located 1.8 miles southeast of Vowinckel on Greenwood Road. The existing bridge is closed due to deterioration and has been replaced with a temporary one-lane bridge. A two-lane permanent bridge is needed. The replacement bridge will be realigned approximately thirty feet north of the existing structure.

**E33-206, Pennsylvania Department of Transportation**, District 10, 02550 Oakland Ave. P. O. Box 429, Indiana, PA 15701-0429, SR 2019, Segment 0050, Offset 0396 across Sawmill Run in McCalmont Township, **Jefferson County**. ACOE Pittsburgh District (Reynoldsville, PA Quadrangle N: 2.0 inches; W: 3.3 inches).

To remove the existing structure and to construct and maintain a precast concrete box culvert having a clear span of 9 feet 11 inches and an underclearance of 3 feet 6 inches on a 60 degree skew across Sawmill Run on SR 2019, Segment 0050, Offset 0396 approximately 6.0 miles north of Punxsutawney.

**E62-382, James C. Anderson**, HC 1, Box 29, Irvine, PA 16329, James Anderson Dock, Deck and Retaining Wall, in Pleasant Township, **Warren County**, ACOE Pittsburgh District (Youngsville, PA Quadrangle N: 13.75 inches; W: 1.75 inches).

Project includes the maintenance of a dock, deck and retaining walls on property along the Allegheny River (CWF) approximately one mile south of the intersection of State Routes 62 and 6.

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Land Recycling and Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504 and 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
SSIP 01022	Joseph B. Riding Conectiv Bethlehem Inc. P. O. Box 6066 Newark, DE 19714-6066	Northampton	Lower Saucon Township	1 AST storing Low Sulfur Distillate Fuel Oil	4,000,000 gallons
				9 AST storing Regulated Substance	23,650 gallons total

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**ACTIONS**


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**FINAL ACTIONS TAKEN UNDER THE  
PENNSYLVANIA CLEAN STREAMS  
LAW AND THE FEDERAL CLEAN  
WATER ACT—NPDES AND WQM PART  
II PERMITS  
INDUSTRIAL WASTE AND  
SEWERAGE WASTEWATER**

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

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

**I. Municipal and Industrial Permit Actions under  
The Clean Streams Law (35 P. S. §§ 691.1—  
691.1001).**

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

**NPDES Permit No. PA0013714**, Industrial Waste, **Exelon Generation Company**, 200 Exelon Way, Kennett Square, PA 19348. This proposed facility is located in Eddystone Borough, **Delaware County**.

The following notice reflects changes to the notice published in the July 14, 2001, *Pennsylvania Bulletin*:

Based on additional analysis results, the monitoring requirement for mercury, total at the internal monitoring points 107 and 108 is removed.

**NPDES Permit No. PA0020460**, Sewage, **Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960-0031. This proposed facility is located in West Rockhill, **Bucks County**.

The following notice reflects changes to the notice published 31 Pa.B. 3771 (August 18, 2001).

Chlorodibromomethane and dichlorobromomethane were removed based on the information that the chlorination disinfection will be replaced with ultraviolet disinfection after completion of the plant expansion. Also based on analysis data, the numerical limit for Cyanide Fee is change to monitor only.

**NPDES Permit No. PA0058424**, Sewage **Geoffrey Herring**, 3275 Belgrade Street, Philadelphia, PA 19134. This proposed facility is located in New Britain Township, **Bucks County**.

Description of Proposed Action/Activity: Issuance of a NPDES permit to discharge into an unnamed tributary to Neshaminy Creek.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**NPDES Permit No PA-0062693**, Sewage, **Municipal Authority of the Township of Blythe**, 375 Valley Street, New Philadelphia, PA 17959. This proposed facility is located in Schuylkill Township, **Schuylkill County**.

Description of Proposed Action/Activity: to renew NPDES Permit to discharge from existing plant to Big Creek.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**NPDES Permit No. PA0030597**, Sewage, **Franklin County General Authority**, 4759 Innovation Way, Chambersburg, PA 17201-8382. This proposed facility is located in Letterkenny Township/Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Rocky Spring Branch in Watershed 13-C.

**NPDES Permit No. PA0044521**, Sewage, **Franklin County General Authority**, 4759 Innovation Way, Chambersburg, PA 17201. This proposed facility is located in Letterkenny Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT to Dennis Creek in Watershed 13-C.

**WQM Permit No. 0101403**, Sewerage, **Insite Development, LLC**, 4216 Little Run Road, Harrisburg, PA 17110-3105. This proposed facility is located in Berwick Township, **Adams County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Sewage Treatment Facilities.

**WQM Permit No. 0101406**, Sewerage, **Abbottstown-Paradise Joint Sewer Authority**, P. O. Box 505, Abbottstown, PA 17301. This proposed facility is located in Hamilton Township, **Adams County**.

Description of Proposed Action/Activity: Authorization for the modifications to the construction/operation of Sewage Treatment Facilities.

**WQM Permit No. 2199407, Transfer 1**, Sewerage, **Jay and Vicki Bear**, 501 Shippensburg Road, Newville, PA 17241. This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Transfer of Ownership.

**WQM Permit No. 2101408**, Sewerage, **Bill Flyte**, Apartment K-313, 1406 Bradley Drive, Carlisle, PA 17013. This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Sewage Treatment Facilities.

**WQM Permit No. 0101404**, Sewerage, **Hamilton Township Board of Supervisors**, 272 Mummerts Church Road, Abbottstown, PA 17301. This proposed facility is located in Hamilton Township, **Adams County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Sewers and Appurtenances and Pump Stations.



**NPDES Permit No. PA0008869 Amendment No. 1**, Industrial Waste, **P. H. Glatfelter Company**, 228 South Main Street, Spring Grove, PA 17362-0500. This proposed facility is located in Spring Grove Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Codorus Creek in Watershed 7-H.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**NPDES Permit No. PA0091685**. Industrial. **United States Steel, LLC**, 600 Grant Street, Pittsburgh, PA 15219-2749 is authorized to discharge from a facility located at Taylor Industrial Landfill, West Mifflin Borough, **Allegheny County** to receiving waters named unnamed tributary to Streets Run.

**Permit No. 0201409**. Sewerage. **Bell Acres Borough Municipal Authority**. Construction of a pump station and force main located in Bell Acres Borough, **Allegheny County** to serve Charleston Square Plan of Lots.

**Permit No. 0287204-A3**. Industrial Waste. **Allegheny County Airport Authority**, P. O. Box 12370, Pittsburgh, PA 15231-0370. Construction of Pittsburgh International Airport located in Findlay Township, **Allegheny County** to serve Class III Landfill—Leachate Treatment Facility.

**Permit No. 6301406**. Sewerage. **Consol Pennsylvania Coal Company**, 172 Route 519, P. O. Box 355, Eighty Four, PA 15330. Construction of a sewage treatment plant located in East Finley Township, **Washington County** to serve Enlow Fork Mine East Finley Portal Bathhouse.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (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 Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the 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 the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10-G452	Robert H. McKinney, Jr. Associates 244 High Street Suite 101 Pottstown, PA 19464	Chester	North Coventry Township	Unnamed tributary to Pigeon Creek (HQ-TSF)

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS102703	Pennsylvania General Energy Corp. 208 Liberty Street Warren, PA 16365	Forest	Kingsley and Jenks Townships	Salmon Creek (HQ-CWF)
PAS102704	Pennsylvania General Energy Corp. 208 Liberty Street Warren, PA 16365	Forest	Kingsley and Jenks Townships	Salmon Creek (HQ-CWF), an unnamed tributary to Salmon Creek (HQ-CWF) and Little Salmon Creek (HQ-CWF)
PAS102705	Pennsylvania General Energy Corp. 208 Liberty Street Warren, PA 16365	Forest	Kingsley Township	Salmon Creek (HQ-CWF)
PAS104111	Catalyst Energy, Inc. 117 Radcliff Drive Pittsburgh, PA 15237-3384	McKean	Lafayette Township	Libby Run (HQ-CWF) and Thundershower Run (HQ-CWF)

**APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS**

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.



The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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

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**List of NPDES and/or Other General Permit Types**

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PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
New Hanover Township Montgomery County	PAR10 T752	Hope Community Church 44 South Chestnut Street Boyertown, PA 19512	Minster Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hatfield Township Montgomery County	PAR10 T778	Telvil Corporation 528 Main Street Harleysville, PA 19438	Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Trappe Borough Montgomery County	PAR10 T785	Mark Anthony Homes, Ltd. 2589 Sibel Circle Lansdale, PA 19446	UNT to Perkiomen Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Windsor Township York County	PAR10Y560	Bob Ward Rose Brook I, LLC 2700 Philadelphia Road Edgewood, MD 21040-1120	Kreutz Creek tributary 4 WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

## NOTICES

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Manchester Township York County	PAR10Y399-1	Kinsley Equities, II LP 2700 Water Street P. O. Box 2886 York, PA 17405	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Conewago Township York County	PAR10Y534	Bible Baptist Church 1150 East 11th St. York, PA 17401	Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Heidelberg Township York County	PAR10Y542	Dirk Wildasin B & D Building & Develop- ment Gitts Run Road Hanover, PA 17331	Gitts Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Dover Township York County	PAR10Y559	Harry Fox, Jr. Brookside Heights 15 Montego Court Dillsburg, PA 17019	UNT to Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Annville Township Lebanon County	PAR10P164	Estate of Paul W. Martin Larry King 2379 Brandt Road Annville, PA 17033	Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 3
Union Township Lebanon County	PAR10P168	Jay O'Neal Lebanon Area Evangelical Free Church R. D. 1, P. O. Box 294 Fredericksburg, PA 17026	Swatara Creek CWF	Lebanon County Conservation District 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 3
Heidelberg Township Lebanon County	PAR10P167	Titus W. Martin 374 Route 897 West Newmanstown, PA 17073	Middle Creek WWF	Lebanon County Conservation District 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 3
Antrim Township Franklin County	PAR10M248	Century Inc. P. O. Box 277 Greencastle, PA 17225	Conococheague Creek WWF	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
St. Thomas Township Franklin County	PAR10M246	St. Thomas Township Municipal Authority 6442 Lincoln Way West St. Thomas, PA 17252	Wilson Run TSF	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Greene Township Franklin County	PAR10M237	Jed Associates 4961 Cumberland Hwy. Chambersburg, PA 17201	Phillaman Run CWF	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
East Pennsboro Township Cumberland County	PAR10H271	West Shore First Assembly of God Church 927 Wertzville Road Enola, PA 17025	UNT to Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
Bradford County Wyalusing Borough Wyalusing Township	PAR100827	Wyalusing Borough P. O. Box 131 Wyalusing, PA 18853	Wyalusing Creek WWF	Bradford County Conservation District R. R. 5, Box 5030 C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539 Ext. 205

*Southwest Region: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Sewickley Heights Borough	PAR10A377	Brooktree Holdings 10431 Perry Highway Suite 300 Wexford, PA 15090	Kilbuck Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McCandless Township	PAR10A504	Zokaites Contracting 375 Gulfside Drive Wexford, PA 15090	Wexford Run CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAR10A537	Pine Township 230 Pearse Mill Road Wexford, PA 15090	Pine Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Franklin Park Borough	PAR10A540	Pitell Contracting 3413 Babcock Blvd. Pittsburgh, PA 15237	Bear Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Fayette Township	PAR10A541	Wadell Group 122 Cidar Lane McMurray, PA 15317	UNT Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Beaver County Franklin Township	PAR100265-1	PA American Water Company 300 Galley Road P. O. Box 1290 McMurray, PA 15317	Connoquenessing Creek WWF UNT to Doe Run/WWF	Beaver County Conservation District (724) 774-7090
Washington County Peters Township	PAR10W192	Bower Hill Development Group P. O. Box 10360 Pittsburgh, PA 15234	Tributary to Peters Creek WWF	Washington County Conservation District (724) 228-6774
Washington County California Borough Fallowfield Township	PAR10W195	Pennsylvania Turnpike Commission Western Regional Office 200 N. Center Avenue New Stanton, PA 15672	UNT to Pike Run WWF	Washington County Conservation District (724) 228-6774

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
City of Philadelphia Philadelphia County	PAR600030	Orthodox Auto Co. 5247 Unruh Ave. Philadelphia, PA 19135	Schuylkill River-3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131

**NOTICES**

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bristol Township Bucks County	PAR800021	Waste Management of PA 1121 Bordentown Rd. Morrisville, PA 19067	Neshaminy Creek-2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Merion Township Montgomery County	PAR200032	Lane Enterprises 377 Crooked Lane King of Prussia, PA 19406	UNT to Schuylkill River-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Gwynedd Township Montgomery County	PAR140009	Jefferson Smurfit Corp. 500 Church Rd. North Wales, PA 19454	Wissahickon Creek-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Schuylkill County Pine Grove Borough	PAR132201	Guilford Mills, Inc. 4925 W. Market St. Greensboro, NC 27407	Wideawake Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
Berks County Ontelaunee Township	PAR603526	Mayer Pollock II Pollock—Reading, Inc. P. O. Box 737 E. Huller Lane and Leesport Avenue Temple, PA 19560	Willow Creek/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Conewago Township	PAR203501	Hanover Aluminum Products, Inc. 60 Ram Drive Hanover, PA 17331	UNT to Plum Creek WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Fairview Township	PAR803648	Defense Distribution Depot Susquehanna Bldg. 1-1 2nd Floor DDSP-LE New Cumberland, PA 17070- 5001	Marsh Run/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County York City	PAR203554	Precision Components Corporation P. O. Box 15101 500 Lincoln Street York, PA 17404	Codorus Creek/ WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Springhill Township Fayette County	PAR806211	New Lock 8 LLC PMB 192 714 Venture Dr. Morgantown, PA 26505	Monongahela River	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Dauphin County Halifax Township	PAG043569	Dr. Robert Ettlinger 461 Tourist Park Rd. Halifax, PA 17032	Gurdy Run WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Bedford County Harrison Township	PAG043685	Gary Twigg 213 Fillo Lane Bedford, PA 15522	UNT Raystown Branch/Juniata River WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Marshall Township Allegheny County	PAG046233	G. Scott Simons 1645 Pleasant Hill Road Baden, PA 15005	UNT of Big Sewickley Creek	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Indiana Township Allegheny County	PAG046123	Doug Mellinger 839 Dorseyville Road Pittsburgh, PA 15238	Tributary to Little Pine Creek	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-5*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
York County Conewago Township	PAG053558	Terry Lawrence Terry & Laverne Motors, Inc. 176 Carlisle Pike Hanover, PA 17331	Plum Creek	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Peters Township Washington County	PAG056103	Snyder's Automotive Service 801 E. McMurray Rd. Venetia, PA 15367	Unnamed tributary of Montour Run	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-7*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Middletown Borough Dauphin County	PAG073504	Middletown Borough Authority 60 West Emaus Street Middletown, PA 17057	Middletown Borough Dauphin County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Northampton County Upper Nazareth Township	PAG082205	Nazareth Borough Municipal Authority	Hercules Cement Farm	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

## PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection (Department) has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

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

### SAFE DRINKING WATER

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

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

##### Permit No. 1500508, Public Water Supply.

Applicant	<b>North Coventry Water Authority</b> 244 High Street Suite 101 Pottstown, PA 19464
Township	North Coventry
County	<b>Chester</b>
Type of Facility	Public Water Supply System
Consulting Engineer	Robert H. Mckenney, Jr. 244 High Street Suite 101 Pottstown, PA 19464
Permit to Construct Issued	November 6, 2001

##### Permit No. 4601509, Public Water Supply.

Applicant	<b>North Penn Water Authority</b> 300 Forty Foot Road P. O. Box 1659 Lansdale, PA 19446
Borough	Lansdale
County	<b>Montgomery</b>
Type of Facility	Public Water Supply System
Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street Reading, PA 19603
Permit to Construct Issued	November 6, 2001

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Operations Permit** issued to **Northampton Borough Municipal Authority**, 1 Clear Springs Drive, Northampton, PA 18067, North Whitehall and Whitehall Townships on October 30, 2001.

*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 2201506 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>United Water Pennsylvania</b>
Municipality	Hummelstown Borough
County	<b>Dauphin</b>
Type of Facility	Installation of an 615-gallon bulk storage tank for liquid caustic soda and a third 50 lb/day sodium hypochlorite generation cell for the ClorTec unit at the Hummelstown Water Treatment Plant.
Consulting Engineer	R. Michael Gephart, P.E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111
Permit to Construct Issued:	November 2, 2001

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Operations Permit** issued to **Rockwood Borough**, 358 Market Street, Somerset, PA 15557, Milford Township, **Somerset County** on November 6, 2001.

*Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

##### Permit No. 6101501, Public Water Supply.

Applicant	<b>Clintonville Borough Sewer and Water Authority</b> P. O. Box 292 Clintonville, PA 16372.
Borough or Township	Clintonville Borough
County	<b>Venango</b>
Type of Facility	PWS
Consulting Engineer	Joseph L. Gray, P.E. Gray-Warnick Engineering 662 West New Castle Road Butler, PA 16001.
Permit to Construct Issued	November 5, 2001

**Operations Permit No. 1601501** issued to **Pennsylvania-American Water Company**, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888, Clarion Township, **Clarion County**, on October 31, 2001.

**Permit No. 2595501-MA2, Minor Amendment**, Public Water Supply.

Applicant	<b>Erie City Water Authority</b> 340 West Bayfront Parkway Erie, PA 16507.
Borough or Township	Harborcreek Township

County **Erie**  
 Type of Facility **PWS**  
 Consulting Engineer **KLH Engineers, Inc.**  
 5173 Campbells Run Road  
 Pittsburgh, PA 15205.  
 Permit to Construct **November 1, 2001**  
 Issued

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

Plan Location: on the southeastern corner of the intersection of Sprenkle Rd. and Route 116 in Jackson Township.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	439 Roth's Church Rd. Spring Grove, PA 17362	York County

Plan Description: two lot commercial subdivision on 3.39 acres proposing onsite sewage disposal and wastewater flows of 2000 gpd.

The plan was disapproved because the applicant exceeded the time limit for submission of missing information.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

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

cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following final reports:

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

**PPL—Palmerton Substation**, Lower Towamensing Township, **Carbon County**. PPL Electric Utilities Corporation, Environmental Management Division, 2 North Ninth Street, Allentown, PA, 18101-1179 submitted a Final Report concerning the remediation of site soils found or suspected to have been contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard and was approved on November 8, 2001.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Engelhard Corporation/Mallinckrodt Inc. North Parcel**, City of Erie, **Erie County** has submitted a Remedial Investigation Report concerning remediation of soil, groundwater and sediment. The site has been found to be contaminated with Lead, Heavy Metals, Solvents, PHCs and PAHs. The report is intended to document remediation of the site to meet the site specific and statewide health standard.

### HAZARDOUS WASTE TRANSPORTER LICENSE

**Hazardous Waste Transporter License actions taken under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

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

### HAZARDOUS WASTE TRANSPORTER LICENSE EXPIRED

**Burnham Service Company, Inc.**, 1630 Phoenix Boulevard, Atlanta, GA 30349. License No. **PA-AH S217**. Effective October 31, 2001.

**Diversified Transportation, Inc.**, 1649 S. 59th Avenue #2, Phoenix, AZ 85043. License No. **PA-AH 0634**. Effective October 31, 2001.

**Four Seasons Environmental, Inc.**, P. O. Box 16590, Greensboro, NC 27406. License No. **PA-AH 0632**. Effective October 31, 2001.

**Heritage Transport, LLC**, 7901 W. Morris Street, Indianapolis, IN 46231. License No. **PA-AH 0200**. Effective October 31, 2001.

**Mercury Waste Solutions, Inc.**, 2007 W. County Road C-2, Roseville, MN 55113. License No. **PA-AH 0631**. Effective October 31, 2001.

**Perdue Environmental Contracting Company, Inc.**, 250 Etter Drive, Nicholasville, KY 40356. License No. **PA-AH 0633**. Effective October 31, 2001.

**INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE**

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

**INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED**

**Medical Waste Systems, Inc. d/b/a Bio Systems Partners**, 380 Constance Drive, Warminster, PA 18974. License No. **PA-HC 0073**. Effective October 29, 2001.

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

**Permits Reissuance 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.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 101252. Waste Management of PA, Inc.** for the Picture Rocks Transfer Station located in Picture Rocks Borough and Wolf Township, **Lycoming County** for permit reissuance from Capital Environmental Resources, Inc. to Waste Management of PA, Inc. The permit was reissued by the Williamsport Regional Office on November 8, 2001.

Persons interested in reviewing the permit may contact John C. Hamilton, P.E., Facilities Operations Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**AIR QUALITY**

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**GP-26-00475A: Better Materials Corp.** (P. O. Box 427, Springfield Pike, Connellsville, PA 15425) on November 2, 2001, for construction and operation of one Norgreg Senator portable triple deck screen, Model No. R2102, rated at 200 tph, controlled by wet dust suppression sprays, three conveyors and one Deutz diesel engine,

model number F5L912, rated at 87 bhp at the Jim Mountain Quarry in Springfield township, **Fayette County**.

**GP-32-00359: Dominion Exploration and Production, Inc.** (16945 Northchase Drive, Suite 1750, Houston, TX 77060) on October 18, 2001, for construction and operation of one Caterpillar Model G3408 LE 425 Bhp Compressor Engine at the Stuby Compressor Station in North Mahoning Township, **Indiana County**.

**GP-32-00360: Dominion Exploration and Production, Inc.** (16945 Northchase Drive, Suite 1750, Houston, TX 77060) on October 19, 2001, for construction and operation of one Caterpillar Model G3408 LE 425 Bhp Compressor Engine at the Johnsonburg Compressor Station in Canoe Township, **Indiana County**.

**GP-04-00034Q: Engineered Polymer Solutions** (372 Cleveland Avenue, Rochester, PA 15074) on November 2, 2001, for construction and operation of one 20,000 Gallon Storage at Valspar Coatings Plant in Rochester Township, **Beaver County**.

**GP65-00235: Alcoa, Inc.** (100 Technical Drive, Alcoa Center, PA 15069-0001) on October 17, 2001, for construction and operation of one Johnson, Model No. PFTA 500-4G-150S, 20.3 MMBtu/hr, natural gas-fired boiler with flue gas recirculation, at the Alcoa Technical Center located in Upper Burrell, **Westmoreland County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**48-328-004: Lower Mount Bethel Energy LLC** (11350 Random Hills Road, Suite 400, Fairfax, VA 22030) on October 29, 2001, for construction of a combined cycle power plant on Depues Ferry Road in Lower Mount Bethel Township, **Northampton County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**19-302-031: Dillon Floral Corp.** (P. O. Box 180, Bloomsburg, PA 17815-0180) on October 2, 2001, to modify two natural gas/#6 fuel oil-fired boilers by using reprocessed oil as fuel in the Town of Bloomsburg, **Columbia County**.

**19-304-008C: Benton Foundry, Inc.** (5297 State Road 487, Benton, PA 17814-7641) on October 2, 2001, for construction of two phenolic urethane cold box foundry core-making machines to be controlled by an existing air cleaning device (a packed bed scrubber) in Sugarloaf Township, **Columbia County**.

**59-00004A: Ward Manufacturing, Inc.** (P. O. Box 9, Blossburg, PA 16912-0009) on October 9, 2001, for modification of iron foundry molding lines (increase in the allowable volatile organic compound emissions from 61.9 to 165.9 tons per 12 consecutive month period) in Blossburg Borough, **Tioga County**.

**49-303-005B: McKley's Limestone Products, Inc.** (R. R. 1, Box 1682, Herndon, PA 17830) on October 16, 2001, for modification of a #2 fuel oil-fired batch asphalt concrete plant and associated air cleaning device (a fabric



collector) by using reprocessed oil as fuel in Lower Mahanoy Township, **Northumberland County**.

**41-318-047: Reynolds Iron Works, Inc.** (157 Palmer Industrial Road, Williamsport, PA 17701) on October 16, 2001, for construction of a steel parts surface coating operation in Woodward Township, **Lycoming County**.

**8-317-003C: Taylor By-Products, Inc.** (P. O. Box 188, Wyalusing, PA 18853) on October 24, 2001, for construction of a rendering cooker to be controlled by existing air cleaning devices (either a venturi/dual packed bed scrubbing system or a venturi scrubber/boiler combustion chamber system) in Wyalusing Township, **Bradford County**.

**59-304-008F: ACP Manufacturing Company, LLC** (P. O. Box 9, Blossburg, PA 16912-0068) on October 30, 2001, for construction of a phenolic urethane cold box foundry core-making machine to be controlled by an existing air cleaning device (a packed bed scrubber) in Lawrence Township, **Tioga County**.

**18-00011B: Croda, Inc.** (P. O. Box 178, Mill Hall, PA 17751-0178) on October 30, 2001, for construction of a 14,645,000 Btu per hour natural gas/#2 fuel oil-fired boiler in Bald Eagle Township, **Clinton County**.

**18-00006B: Dominion Transmission Corp.** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on October 30, 2001, for installation of air cleaning devices (screw-in prechamber systems) on six natural gas-fired reciprocating internal combustion compressor engines at the Leidy Compressor Station in Leidy Township, **Clinton County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**03-00227A: Rosebud Mining Co.** (R. D. 39 Box 379A, Kittanning, PA 16201) on November 6, 2001, for construction of portable coal crusher w/screen at Gastown Surface Mine in Plumcreek Township, **Armstrong County**.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**59-00004A: Ward Manufacturing, Inc.** (P. O. Box 9, Blossburg, PA 16912-0009) on October 30, 2001, to correct an error regarding the identity of a fabric collector used to control the particulate emissions from a piece of foundry sand handling equipment in Blossburg Borough, **Tioga County**.

**49-313-032J: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821-0600) on October 30, 2001, to modify a condition identifying required operating parameters for a Venturi Jet/packed bed scrubbing system used for the control of thionyl chloride, sulfur dioxide and hydrogen chloride from a chemical reaction vessel (deletion of a specific required numerical scrubbing solution caustic concentration and establishment of specific minimum Venturi Jet and packed bed scrubbing solution flow rates) in Riverside Borough, **Northumberland County**.

**12-399-016: Micron Research Corp.** (P. O. Box 269, Emporium, PA 15834) on November 5, 2001, to extend authorization to operate a carbon graphite manufacturing

operation on a temporary basis until March 5, 2002, in Shippen Township, **Cameron County**.

**08-00004A: Rynone Manufacturing Corp.** (P. O. Box 128, Sayre, PA 18840-0128) on October 29, 2001, to extend authorization to operate a cast polymer facility on a temporary basis until February 26, 2002, to revise an allowable increase in volatile organic compound emissions from 9.8 to 8.3 tons per 12 consecutive month period and an allowable facility-wide volatile organic compound emission rate from 35.9 to 34.4 tons per 12 consecutive month period, to revise an allowable styrene emission rate from the use of gel coats from 24 to 21.1 tons per 12 consecutive month period, to revise an allowable methyl methacrylate emission rate from the use of gel coats from .9 to 2.3 tons per 12 consecutive month period, to clarify that compliance with a 40% casting resin styrene monomer content limitation is to be determined on an as-applied basis and to clarify that the term "mold release materials" includes sealers, strippers, releases and associated cleaners in Sayre Borough, **Bradford County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**25-066D: AKW, L.P.** (1015 East 12th Street, Suite 200, Erie, PA 16503) on October 30, 2001, for ton forging presses in Erie, **Erie County**.

**25-069C: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) on October 28, 2001, for a sphere plant loader in Erie, **Erie County**.

**25-069D: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) on October 30, 2001, for a metal oxide catalyst building 400 in Erie, **Erie County**.

**37-399-009A: Hickman Manufacturing, Inc.** (R. D. 2, Route 18, Wampum, PA 16157) on October 30, 2001, for a roof coating operation in New Beaver Borough, **Lawrence County**.

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**Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-00012: Philadelphia Newspaper, Inc.** (800 River Road, West Conshohocken, PA 19428) on November 7, 2001, for operation of a Facility Title V Operating Permit in Upper Merion Township, **Montgomery County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.*

**63-00550: USA South Hills Landfill, Inc.** (a subsidiary of USDA Waste Services, Inc.) (3100 Hill Road, Library, PA 15129) on October 18, 2001, for operation of a municipal solid waste landfill in Union Township, **Washington County** and South Park Township, **Allegheny County**. The Department also intends to incorporate the applicable requirements of Plan Approval 63-550A into the Title V Operating Permit. Plan Approval 63-550A is for the 36-acre expansion, including 6 cells, Pads 4-9 at this landfill site. This notice shall also serve as notice of public availability of Plan Approval 63-550A. The landfill borders both counties but the flare is situated in the Washington County part of the landfill.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**23-0031: Mercy Fitzgerald Hospital** (1500 Lansdowne Avenue, Darby, PA 19023) on November 6, 2001, for operation of a Facility VOCs/NOx RACT in Darby Borough, **Delaware County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**41-327-003: PMF Industries, Inc.** (2601 Reach Road, Williamsport, PA 17701) on October 4, 2001, for operation of a batch vapor degreaser and associated air cleaning device (a refrigerated freeboard chiller) in the City of Williamsport, **Lycoming County**. The degreaser is subject to Subpart T of the National Emission Standards for Hazardous Air Pollutants.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**09-0022: Cleveland Steel Container Corp.** (350 Mill Street, PA 18951-1398) for operation of its pail line in Quakertown Township, **Bucks County**. On August 17, 2000, the Title V Operating Permit was administratively modified to allow emergency oven fume release due to power outages. Additional recordkeeping and reporting requirements were added into the permit.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Edward Braun, Chief, (215) 685-9476.*

**95-053: Fabricon Products, Inc.** (4101 North American Street, Philadelphia, PA 19140) administratively amended on October 22, 2001, to change the permit contact for their facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor Operating Permit was originally issued on May 9, 2000.

**S95-064: Northeast Foods, Inc.—Philadelphia Baking Co.** (Grant Avenue and Roosevelt Boulevard, Philadelphia, PA 19115) administratively amended on November 7, 2001, to change the facility contact, permit contact and responsible official for their facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor Operating Permit was originally issued on September 7, 2001.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**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 and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

*Coal Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**54851342R3. Little Buck Coal Company** (R. R. 4 Box 405, Pine Grove, PA 17963), renewal of an existing anthracite underground mine operation in Tremont Township, **Schuylkill County** affecting 5.0 acres, receiving stream—none. Application received August 27, 2001. Renewal issued November 6, 2001.

**54960101RT and NPDES Permit #PA0223743. Mountaintop Coal Mining, Inc.** (P. O. Box 13, Elysburg, PA 17824), renewal and transfer of an existing anthracite surface mine operation and NPDES Permit in Barry and Foster Townships, **Schuylkill County** affecting 246.4 acres, receiving stream—Hans Yost Creek. Applications received June 1, 2001. Renewal and Transfer issued November 6, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**SMP No. 65960103 and NPDES No. PA0201715. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7961). Permit revised to add Howard Neal Corporation as a contract miner at a bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 162.1 acres. Receiving streams: unnamed tributary to Miller Run, Miller Run to Loyalhanna Creek, Loyalhanna Creek to Conemaugh River. Application received: September 5, 2001. Revision issued: November 5, 2001.

**SMP No. 65980106 and NPDES No. PA0202380. Gary Gioia Coal Co., Inc.** (319 Karen Drive, Elizabeth, PA 15037). Transfer of permit originally issued to LMM, Inc., for a bituminous surface/auger mine located in South Huntingdon Township, **Westmoreland County**, affecting 40.0 acres. Receiving streams: unnamed tributary to Sewickley Creek, to Sewickley Creek, to Youghiogeny River. Transfer application received: July 30, 2001. Transfer permit issued: November 7, 2001.

*Noncoal Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**35010802. George Compton, Jr.** (565 Route 247, Greenfield Township, PA 18407), commencement, operation and restoration of a small quarry operation in Greenfield Township, **Lackawanna County**, affecting 1.0 acre. Receiving stream: Dundaff Creek, tributary to Tunkhannock Creek. Application received: June 27, 2001. Permit issued: November 5, 2001.

**6075SM3C5. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034),

renewal of NPDES Permit #PA0069744 in Union Township, **Union County**, receiving stream—Winfield Creek and unnamed tributary to Winfield Creek. Application received: September 17, 2001. Renewal issued: November 6, 2001.

**58010838. James E. Marcy, Jr.** (R. R. 2, Box 152 A, New Milford, PA 18834), commencement, operation and restoration of a small noncoal quarry operation in Oakland Township, **Susquehanna County** affecting 2.0 acres. Receiving stream: unnamed tributary to the Susquehanna River. Application received: July 25, 2001. Permit issued: November 6, 2001.

**58010814. Rodney A. Birchard** (R. R. 1 Box 1BB, Springville, PA 18844), commencement, operation and restoration of a small quarry operation in Springville Township, **Susquehanna County** affecting 2.0 acres, receiving stream—none (no discharge). Application received: April 10, 2001. Permit issued: November 6, 2001.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**08010811. Richard P. Ferguson** (R. R. 3, Box 301, Wyalusing, PA 18853), commencement, operation and restoration of a small industrial minerals (Shale, Flagstone) permit in Stevens Township, **Bradford County** affecting 1 acre. Receiving streams: Cold Creek to Wyalusing Creek, tributary to Susquehanna River. Application received: June 20, 2001. Permit issued: October 29, 2001.

**14920301. Con-Stone, Inc.** (P. O. Box 28, Bellefonte, PA 16823), major permit revisions to an existing Industrial Minerals (Limestone Quarry) permit in Haines Township, **Centre County**. The permit revision includes a request to modify special conditions of the permit for a specific 4.1 acres area located within the 96.7 acre permit. Permit special conditions are proposed to be revised to: (1) allow the extraction of the Valentine Limestone below the 1,080 elevation to the base of the Valentine; (2) allow pumping from the quarry during seasonal low flow water table conditions; and (3) discharge of the water pumped from the quarry to the existing infiltration gallery system. Application received: June 11, 2001. Permit issued: November 11, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**42930801. Bradley A. Greenman** (R. R. 1, Box 282, Port Allegany, PA 16743) Transfer of an existing small noncoal (industrial mineral) operation from William R. Culver in Liberty Township, **McKean County** affecting 4.5 acres. Receiving streams: unnamed tributary to the Allegheny River. Application received: August 17, 2001. Permit Issued: October 30, 2001.

**37960302. Shamrock Minerals Corp.** (R. R. 2, Box 2139, Wampum, PA 16157) Renewal of Surface Mining Permit No. 37960302 in Little Beaver Township and New Beaver Borough, **Lawrence County**. Receiving streams: unnamed tributary to North Fork Little Beaver Creek. Renewal application received: July 23, 2001. Permit Issued: October 30, 2001.

#### *Project Proposals Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**EGS 32001. Blacklick Creek Watershed Association, Inc.**, 297 Sarah Street, Homer City, PA 15748. A project to abate mine drainage pollution in Cherryhill Township, **Indiana County**, affecting 50.0 acres. Receiving streams:

Two Lick Reservoir to Two Lick Creek classified for the following uses: trout stock fishery. The first downstream potable water supply intake from the point of discharge is Two Lick Reservoir. Application received: July 27, 2000. Application issued: November 2, 2001.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151–161) and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**45014013. Explosive Services, Inc.** (R. R. 3 Box 749, Honesdale, PA 18431), construction blasting in Stroud Township, **Monroe County** with an expiration date of October 25, 2002. Permit issued: November 5, 2001.

**21014023. Senex Explosives** (710 Miller Run Road, Cuddy, PA 15031), construction blasting in North Middleton Township, **Cumberland County** with an expiration date of January 31, 2002. Permit issued: November 7, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**10014004. Recmix of PA, Inc.** (359 North Pike Road, Sarver, PA 16055). Blasting activity permit to blast Phase II Sedimentation Pond in Winfield Township, **Butler County** for 14 days. Application received: November 5, 2001. Application issued: November 5, 2001.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (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 Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to the Administrative Agency Law). Appeals must be filed with the 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 the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 of 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 for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

*Permits Issued and Actions on 401 Certifications:*

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E15-655. Robert H. McKinney, Jr. Associates,** 244 High Street, Suite 101, Pottstown, PA 19464, North Coventry Township, **Chester County,** ACOE Philadelphia District.

To construct and maintain three submerged stormwater outfall structures and their associated riprap aprons in wetlands (PEM) and along an existing body of water (POW) in the upper reaches of an unnamed tributary to Pigeon Creek (HQ-TSF), associated with the construction of the proposed Coventry Lakes Subdivision. The permittee also requests an Environmental Assessment Approval for impacts associated with the modification of the embankment of an existing nonjurisdictional dam. The project proposes to impact 0.01-acre of wetlands and to maintain water in the reservoir during construction by using a temporary Porta-Dam. The site is located approximately 350 feet south of the intersection of sheep Hill Road and Temple Road (Pottstown, PA USGS Quadrangle N: 15.9 inches; W: 7.2 inches).

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**E35-276A. Alliance Sanitary Landfill, Inc.,** 398 South Keyser Avenue, Taylor, PA 18517, Duryea Borough, **Luzerne County,** Army Corps of Engineers Baltimore District.

To amend Permit No. E35-276 to authorize the relocation of the off-site wetland replacement area to the Duryea Confluence Wetland Site. Permit No. E35-276 was issued to fill 6.18 acres of wetlands and to relocate approximately 4,300 feet of a tributary to St. John's

Creek (locally known as Sawmill Creek) with the construction of approximately 6,200 linear feet of channel change consisting of a riprap-lined trapezoidal channel and rock-lined plunge pools. The permittee is required to provide 10.4 acres of replacement wetlands. The Duryea Confluence Wetland Site is located immediately northeast of the confluence of the Lackawanna and Susquehanna Rivers (Pittston, PA Quadrangle N: 17.5 inches; W: 6.2 inches).

**E13-127. Carbon County Commissioners,** Courthouse Annex, P. O. Box 129, Jim Thorpe, PA 18229, Summit Borough of Summit Hill, **Carbon County,** Army Corps of Engineers Philadelphia District.

To remove the remnants of an existing walkway and to construct and maintain 0.3-mile of elevated wooden walkway across wetlands within the Mauch Chunk Creek Watershed for the purpose of restoring sections of the trail along Mauch Chunk Lake. The trail is located within the Mauch Chunk Lake Park and begins approximately 1-mile southwest of Mauch Chunk Lake Dam (Nesquehonning, PA Quadrangle N: 16.5 inches; W: 8.3 inches) and extends approximately 2.1 miles westward along the north side of the lake to a point approximately 800 feet northwest of the mouth of White Bear Creek (Nesquehonning, PA Quadrangle N: 13.7 inches; W: 12.9 inches).

**E40-574. High Hotels, Ltd.,** 1853 William Penn Way, P. O. Box 10008, Lancaster, PA 17605-0008, Wilkes-Barre Township, **Luzerne County,** Army Corps of Engineers Baltimore District.

To place fill in a de minimis area of wetlands equal to 0.04 acre for the purpose of constructing a hotel, restaurant and associated parking on a 3.67-acre parcel of land. The project is known as the Hilton Garden Inn. The project is located on the north side of Highland Park Boulevard, northwest of the intersection of S.R. 2050 and Highland Park Boulevard (Wilkes-Barre East, PA Quadrangle N: 20.6 inches; W: 14.2 inches).

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**E18-324. Kevin R. and Candace J. Bowes,** 1351 West Winter Road, Loganton, PA 17747, Agricultural Culvert Crossing in Logan Township, **Clinton County,** ACOE Baltimore District (Loganton, PA Quadrangle N: 0.95 inch; W: 15.0 inches).

To construct and maintain a 71-inch by 48-inch by 20-foot long galvanized arch culvert with headwall and wingwall in Greenburr Gap stream on the south side of West Winter Road approximately 700 feet west of the center of Greenburr in Logan Township, Clinton County. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-489. Loyalsock Township,** 2501 East Third Street, Williamsport, PA 17701, Water Obstruction and Encroachment Permit application, in Loyalsock Township, **Lycoming County,** ACOE Susquehanna River Basin District (Montoursville North, PA Quadrangle N: 2.28 inches; W: 11.39 inches).

To operate and maintain a flood control project consisting of 490 linear feet of 18' x 6' reinforced concrete box culvert from Edercrest Road to the south side of SR 0220, 260 feet of channel improvement from the inlet of the box culvert upstream, 570 feet of channel improvement and rip-rap protection downstream of the box culvert in Bull Run, all of which are located in Loyalsock Township, Lycoming County.

**E47-070. Danville Borough**, 239 Mill Street, Danville, PA 17821, in Danville Borough, **Montour County**, ACOE Baltimore District (Danville, PA Quadrangle N: 15.17 inches; W: 17.19 inches).

To operate and maintain a flood control project consisting of an earthen fill debris dam with emergency drop spillway near Beaver Street, 475 feet of concrete channel along the Kennedy Van Saun Plant, 1,350 feet of trapezoidal earth channel from the end of the concrete channel to the confluence of Sechler and Blizzard Runs, 1,500 feet of concrete channel from Blizzard Run to Mill Street including the bridges at Pine and Ferry Street and Jacobs Alley, 150 feet of concrete retaining wall under the former Grants Store on Sechler Run. This permit also authorizes operation and maintenance of the culverts at "A" Street, Lower Mulberry Street and on the Conrail railroad tracks, a 14-foot by 13 foot steel liner plate culvert under the former Reading Railroad and 600 feet of concrete channel on Blizzard Run. This project is located in the Borough of Danville between Church Street and Beaver Street. This permit was issued under § 105.13(e) "Small Projects"

**E47-071. Danville Borough**, 239 Mill Street, Danville, PA 17821. Flood Control Project, in Danville Borough, **Montour County**, ACOE Baltimore District (Danville, PA Quadrangle N: 15.17 inches; W: 17.19 inches).

To operate and maintain 33,500 linear feet of earthen levee along the Susquehanna River from Market Street bridge over Toby Run to the intersection of Cooper and Iron Streets, from the Mahoning Street bridge over Mahoning Creek to a point of high ground 650 linear feet upstream of the sewage treatment plant and all appurtenant drainage structures. This permit also authorizes the operation and maintenance of 1,000 linear feet of concrete capped sheet pile floodwall and 1,900 linear feet of concrete floodwall along the Susquehanna River. This permit was issued under § 105.13(e) "Small Projects."

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-1345. White Oak Borough**, 2280 Lincoln Way, White Oak, PA 15131. White Oak Borough, **Allegheny County**, ACOE Pittsburgh District.

To replace an existing 36" in diameter and 48" in diameter stormwater system with 137 feet of 42" in diameter and 568 feet of 48" in diameter pipe outleting on the right bank of an unnamed tributary to Crooked Run (WWF) for the purpose of improving stormwater system. The project is located on the south side of Pennsylvania Avenue, approximately 270 feet west from the intersection of Capitol Avenue and Pennsylvania Avenue (McKeesport, PA Quadrangle N: 18.6 inches; W: 10.0 inches).

**E04-277. Beaver County Department of Public Works**, 469 Constitution Boulevard, New Brighton, PA 15066-3105. Marion Township, **Beaver County**, ACOE Pittsburgh District.

To construct and maintain stream habitat enhancement, bank and channel stabilization and riparian buffers in the channel of and along 1,460 linear feet of Brush Creek (WWF) and to remove silt and gravel bars from the channel of said stream for the purpose of mitigation of stream impacts associated with the Cranberry Interchange I/79 Connector Project (DEP Permit No. E10-206) in Cranberry Township, Butler County. The project is located at Brush Creek Park, approximately 900 feet north from the intersection of Brush Creek and S.R. 588. This permit also authorizes the operation and maintenance

of the two pedestrian walking bridges located in Brush Creek Park (Zelienople, PA Quadrangle N: 6.5 inches; W: 15.5 inches).

**E63-496. American Legion Post #940**, 800 Middle Street, West Brownsville, PA 15417. West Brownsville Borough, **Washington County**, ACOE Pittsburgh District.

To maintain fill in a de minimis wetland, to operate and maintain an existing 180 foot marina and to construct and maintain a 465 foot extension to the marina in and along the left bank of the Monongahela River (WWF) at River Mile 55.2 (California, PA Quadrangle N: 6.0 inches; W: 0.4 inch).

**E63-515. Pennsylvania Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. Jefferson Township, **Washington County**, ACOE Pittsburgh District.

To remove the existing Meadowcroft Bridge (S.R. 4018, Section B10) and to construct and maintain a new bridge having a span of 25.75 meters (84.50 feet) on a 75° skew with a minimum underclearance of 3.34 meters (10.96 feet) across the channel of Cross Creek (WWF) for the purpose of improving highway safety. The bridge is located on S.R. 4018, Section B10. This permit also authorizes the construction and maintenance of a temporary road crossing consisting of three 600 mm (2.0 foot) diameter culverts and two stormwater outfall structures (Avella, PA Quadrangle N: 6.5 inches; W: 16.3 inches).

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.*

**E42-284. DL Resources, Inc.**, 1066 Hoover Road, Smicksburg, PA 16256, Hamilton Township, **McKean County**, ACOE Pittsburgh District.

To perform the following activities associated with DL Resources' Warrant 4912 oil and gas well operations:

1. Maintain an existing single span steel bridge across Chappel Fork (CWF) having a span of 30 feet and an approximate underclearance of 7.5 feet at a point approximately 100 feet upstream of the confluence of Chappel Fork with Crary Run (Westline Quadrangle N: 14.12 inches; W: 6.29 inches).

2. Replace an existing log bridge over Crary Run (HQ-CWF) with a prefabricated single span steel bridge having a span of 25 feet and an approximate underclearance of 4 feet at a point approximately 150 feet upstream from the confluence of Crary Run and Chappel Fork. This structure will also include the installation of three 12 inch culverts in the approach road (Westline Quadrangle N: 14.18 inches; W: 6.35 inches).

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## SPECIAL NOTICES

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### Extension of General NPDES Permit for Stormwater Discharges Associated with Industrial Activities (PAG# 3)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of the Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) issues a 6 month time extension of the terms of its current General NPDES Permit for stormwater discharges associated with Industrial activities (PAG# 3). The current general permit is scheduled to expire December 4, 2001. The terms of the current permit are extended until June 4, 2002. The

extension will be effective on December 5, 2001, and shall expire June 4, 2002. The Department will continue to grant coverage under the existing general permit and enforce permit compliance in accordance with existing requirements until the general permit is reissued following the public review process.

The Department will redact and post the current permit and associated documents (the NOI and the Instructions, Fact Sheet and DMRs) on the Department's website on or before December 4, 2001.

The amendment #4 updated permit documents package will continue to be available from the Department's Regional and Central Offices. Any person with questions about this notice should contact Ratilal Patel in the Bureau of Water Supply and Wastewater Management at (717) 787-8184 or e-mail at rpatel@state.pa.us.

#### **Extension of General NPDES Permit for Discharges from Contaminated Ground Water Remediation Systems (PAG# 5)**

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of the Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice, issues a 4 month extension of the term of its General NPDES Permit for Discharges from Contaminated Ground Water Remediation Systems (PAG# 5), which expired on October 12, 2001. The term of the general permit is extended until February 12, 2002. The Department will continue to grant coverage under the general permit and enforce permit compliance in accordance with existing requirements until the general permit is reissued following the public review process.

The current permit documents (the permit, the NOI and the Instructions, Fact Sheet and DMRs), reflecting minor general edits and to reflect today's action of the Department, are being posted on the Department's website. The updated permit documents package will continue to be available from the Department's Regional and Central Offices.

Any person with questions about this notice should contact Ratilal Patel in the Bureau of Water Supply and Wastewater Management at (717) 787-8184 or e-mail at rpatel@state.pa.us.

#### **Notice of Revised Technical Guidance Manual Available for Public Comment**

The Department of Environmental Protection (DEP) is seeking public comment on its revised Technical Guidance Manual for the Land Recycling Program. This document provides guidance to the regulated community for implementing the Land Recycling and Environmental Remediation Standards Act (Act 2) and 25 Pa. Code Chapter 250. The guidance was developed by DEP's Bureau of Land Recycling and Waste Management and is available on the DEP website at [www.state.pa.us](http://www.state.pa.us) (DirectLINK "Land Recycling") or can be obtained by contacting Dave Hess, Bureau of Land Recycling and Waste Management, Division of Land Recycling and Cleanup Program, Rachel Carson State Office Building, 14th Floor, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 783-7816, dahess@state.pa.us.

The Technical Guidance Manual assists the regulated community in interpreting the regulations for the administration of the Land Recycling Program. The manual is now being revised based upon the experiences gained during the 6 years of program operation, comments from

the regulated community, and proposed amendments to the Land Recycling regulations, which were published August 5, 2001. In addition to minor technical and editorial corrections and updates, comments are invited on, the following substantive changes:

- The voluntary nature of Act 2 is clarified.
- Discussion of measures that the program is instituting, which are intended to improve our service through consistency of program implementation.
- Site characterization is discussed in more detail, emphasizing that the extent of liability protection is directly related to the extent of characterization performed. The section describing site characterization requirements is expanded, stating minimum standards, and relating data objectives for characterization to the requirement for fate and transport analysis. Examples of site characterization have been expanded.
- The relationship of Separate Phase Liquids ) to the three Act 2 standards (background, Statewide health and site-specific) and DEP's policy regarding situations where removal is encouraged are discussed.
- Several changes in the nonuse aquifer section are being made to make the guidance consistent with the proposed amendments to the Chapter 250 regulations. Included in this is a requirement that a postremediation care plan be instituted to verify that the criteria for designation as a nonuse aquifer continue to be met.
- The requirement that the format of final reports has been changed to include a summary is discussed, and new checklists are provided. These checklists provide for the inclusion of a calculation of the mass of contaminants remediated.
- A methodology for applying the Synthetic Precipitation Leaching Procedure in establishing the soil-to-groundwater numeric values under the Statewide health standard is included.
- Clarification is made to the process for conducting the screen for impacts to ecological receptors under the Statewide health standard.
- To bring the manual into conformance with the proposed amendments to the regulations, a procedure has been added to incorporate the use of a no-exceedance standard for demonstrating attainment of the Statewide health standard at sites where full site characterization has not been performed prior to remediation for releases of petroleum products.
- Guidance for conducting risk assessments under the site-specific standard has been clarified and expanded.
- A new section regarding institutional controls and other postremediation obligations has been added to the site-specific standard discussion. The guidance now provides a menu of controls that a remediator may use at his preference.
- Based on discussions with DEP's Office of Water Management, a significant change is being proposed as a new process for demonstrating attainment of surface water quality criteria. Comment is specifically requested on this section and in particular, how substances marked with an asterisk (\*) on Table 3 have been categorized. This new process categorizes substances into Tables 1—3, which then determines how they will be addressed in satisfying the surface water quality requirements.

Interested persons are invited to submit comments, suggestions or objections regarding the proposed Techni-

cal Guidance Manual, either in writing or electronically, to Dave Hess by January 23, 2002.

[Pa.B. Doc. No. 01-2111. Filed for public inspection November 21, 2001, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "July 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

#### Ordering Paper Copies of DEP Technical Guidance

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### Changes to Technical Guidance Documents

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

#### Draft Technical Guidance—Substantive Revision

DEP ID: 253-0300-100 Title: Land Recycling Program Technical Guidance Manual Description: This manual, originally developed in 1997, is being revised to assist remediators in satisfying the requirements of Act 2 and the regulations of 25 Pa. Code Chapter 250. The manual provides suggestions and examples of how to approach site characterization, remediation and demonstration of attainment, as well as other revisions. Anticipated Effective Date: February 23, 2002. Sixty Day Comment Period Ends: January 23, 2002 Contact: David Hess at (717) 783-9480 or e-mail [dahess@state.pa.us](mailto:dahess@state.pa.us)

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 01-2112. Filed for public inspection November 21, 2001, 9:00 a.m.]

### Initial Notice of Request for Certification under Section 401 of the Federal Clean Water Act and Coastal Zone Management Consistency Determination

This notice pertains to changes regarding United States Army Corps of Engineers (Corps) Nationwide Permits under section 404 of the Clean Water Act. At the present time, the changes proposed by the Corps do not alter the

Commonwealth's existing wetland protection program. These proposed changes, when finalized, may impact citizens who are required to receive Federal authorization or permits for these activities.

On August 9, 2001, the Corps published in the *Federal Register* (66 *Fed. Reg.* 42070) a notice that the Corps is proposing to reissue all NWPs, General Conditions and definitions with some modifications. The Corps is proposing to modify NWPs 14, 21, 27, 31, 37, 39, 40, 42 and 43. In addition, the Corps is proposing to modify General Conditions 4, 9, 13, 19, 21, 26 and add a new General Condition 27. In order to reduce the confusion regarding the expiration dates of three separate sets of NWPs, it is the Corps intent to consolidate all issued, reissued and modified NWPs, and General Conditions contained within this notice to become effective and expire on the same date.

In this same notice, the Corps published its application for certification under section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)) (act) and that the activities described in the *Federal Register* notice (and following in more detail) which may result in a discharge into waters of the United States will comply with the applicable provisions of sections 301—303, 306 and 307 of the act. That notice also served as a request for a State determination of coastal zone management consistency under section 307 of the Coastal Zone Management (CZM) Act (16 U.S.C.A. § 1456) for activities within or affecting the coastal zone of the Commonwealth.

The reissuance process started with the August 9, 2001, publication of the proposed NWPs in the *Federal Register* and concurrent release of public notices by Corps District Offices for a 45-day comment period. Upon completion of the Corps review of the comments, they will complete a draft of the final NWPs and solicit comments from interested Federal agencies. The final version of the NWPs will be published in the *Federal Register* by November 13, 2001. The NWPs will then become effective by February 11, 2002. This schedule provides a 90-day period for the state 401/CZM agencies to complete their certification decisions. Also within this 90-day period, the Corps will finalize its regional conditions and certify that the NWPs, with any regional conditions or geographic revocations, will only authorize activities with minimal adverse effects on the aquatic environment, both individually and cumulatively. The NWPs will become effective at the end of the 90-day period.

The full text of the Corps notice may be found at the following Internet Address: [http://www.usace.army.mil/inet/functions/cw/hot\\_topics/wetlands.txt](http://www.usace.army.mil/inet/functions/cw/hot_topics/wetlands.txt). For further information contact Rich White or Sam Collinson at (202) 761-4599 or access the U.S. Army Corps of Engineers Regulatory Home Page at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg>.

Furthermore, the issuance of NWPs is a Federal action, subject to review for consistency with the enforceable policies of the Commonwealth CZM Program. As required under 15 CFR Part 930 Subpart C (Consistency for Federal Agency Activities), the CZM Program is providing the public this opportunity to develop and provide comments on whether or not these NWPs are consistent with the CZM Program's enforceable policies. The CZM Program's policies can be found on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us>. Select Subjects; Select O—Office for River Basin Cooperation; Select Coastal Zone Management Program; Select Technical Guidance Docu-



ment—Commonwealth of Pennsylvania Coastal Zone Management Program and Final Environmental Impact Statement.

Persons wishing to comment on this application for 401 Water Quality Certification and CZM consistency are invited to submit comments by January 1, 2002. Prior to final action on this application, consideration will be given to any comments, suggestions or objections which are submitted in writing by January 1, 2002. Comments should be submitted to Kenneth Reisinger, Chief, Division of Waterways, Wetlands and Erosion Control, P. O. Box 8775, Harrisburg, PA 17105-8775. Requests should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments are addressed and a concise statement of comments, objections or suggestions. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5788 (voice users). No comments submitted by facsimile transmission will be accepted. The Department may conduct a fact-finding hearing or an informal conference in response to any comments if deemed necessary.

Comments may be submitted electronically to the Department at [kereisinge@state.pa.us](mailto:kereisinge@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 by January 1, 2002.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-2113. Filed for public inspection November 21, 2001, 9:00 a.m.]

### Technical Advisory Committee on Diesel-Powered Equipment; Change of Meeting Date

The postponed meeting of the Technical Advisory Committee on Diesel-Powered Equipment (TAC) of October 24, 2001, has been rescheduled, and will be held on November 29, 2001. The meeting will be held at 10 a.m. in the Bureau of Deep Mine Safety Training Room, Fayette County Health Center, Uniontown.

Questions concerning this meeting can be directed to Allison Gaida at (724) 439-7289 or e-mail to [agaida@state.pa.us](mailto:agaida@state.pa.us). The agenda and meeting materials are available through the Public Participation Center on DEP's website at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Allison Gaida directly at (724) 439-7289 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-2114. Filed for public inspection November 21, 2001, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(d) of the Regulatory Review Act (71 P. S. § 745.5(d)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
16A-4912	State Board of Medicine Physician Delegation of Medical Services  (31 Pa.B. 5113 (September 8, 2001))	11/8/01	10/9/03
57-222	Pennsylvania Public Utility Commission Financial Reporting Requirements for all Telecommu- nications Carriers  (31 Pa.B. 5110 (September 8, 2001))	11/8/01	10/9/03

### State Board of Medicine Regulation No. 16A-4912 Physician Delegation of Medical Services November 8, 2001

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The State Board of Medicine must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 9, 2003, the regulation will be deemed withdrawn.

#### 1. General.—Need.

This regulation is designed to implement Section 422.17(a) of The Medical Practice Act (Act) (63 P. S. § 422.17(a)) which provides: "A medical doctor may delegate to a health care practitioner or technician the performance of a medical service" if certain conditions are met. Further, Section 422.17(b) of the Act provides: "The board may promulgate regulations which establish criteria pursuant to which a medical doctor may delegate the performance of medical services. . . ." (Emphasis added).

However, the regulation essentially incorporates the statutory language without adding specific criteria to guide the delegation. The Board states in the Preamble



that this regulation is necessary because it has received inquiries concerning delegation. We question how a regulation that reiterates a statutory provision can be responsive to any concerns or inquiries. However, if the Board submits the final-form regulation, it should explain the need for this regulation and respond to the following concerns.

## 2. Definitions.—Clarity.

The regulation does not define the terms “medical service,” “health care practitioner” or “technician.” We recommend that the Board add a new “Definitions” section to Chapter 18. This section should reference the definitions of the terms contained in the Act.

## 3. Section 18.401. Delegation.—Clarity.

### *Subsection (a)(1)*

This subsection states delegation must be consistent “with the standards of acceptable medical practice . . . .” This phrase is unclear. In the Preamble, the Board explains “[S]tandards of acceptable medical practice may be discerned from current medical literature and texts, medical teaching facilities publications and faculty, expert practitioners in the field and the commonly accepted practice of practitioners experienced in the field.” This language clarifies the requirement in Subsection (a)(1). The Board should consider including the explanatory language from the Preamble in Subsection (a)(1).

### *Subsection (a)(4)*

Subsection (a)(4) allows the medical doctor to delegate medical services once he has “determined that the delegatee is competent to perform the medical service.” Does the Board have a set criteria to assist medical doctors in making such determinations? The Board should explain.

### *Subsection (a)(5)*

This subsection allows the medical doctor to determine that the delegation “does not create an undue risk to that patient.” Should the regulation require that the medical doctor’s determination be documented in the patient’s records?

### *Subsection (a)(6)*

Subsection (a)(6) allows “[T]he nature of the service and the delegation of the service has been explained to the patient and the patient does not object. . . .” Will it be explained to the patient that the patient has the right to object? The Board should explain what constitutes an explanation of the nature and delegation of the service sufficient to enable a patient to object in the Preamble to the final-form regulation.

### *Subsection (a)(7)*

This subsection allows the medical doctor to be “available as appropriate to the difficulty of the procedure, the skill of the delegatee and risk level to the particular patient.” We have two concerns with this subsection. First, it is not clear what the phrase “available as appropriate to the difficulty” means. Second, Section 422.17(c) of the Act establishes that the “medical doctor shall be responsible for the medical services delegated to the health care practitioner or technician. . . .” We agree with the House Professional Licensure Committee’s comments that Subsection (a)(7) should be amended so that it is consistent with Section 422.17(c) of the Act.

### *Subsection (b)*

Subsection (b) provides that a medical doctor may not delegate a medical service if recognition of the complica-

tions or risks that may result from the service “requires medical doctor education and training.” This provision would seem to unduly restrict a doctor’s ability to delegate, since all medical functions carry a certain degree of risk. The phrase “technical knowledge and skill not ordinarily possessed by non-physicians” has been suggested to the Board as a replacement for the phrase “medical doctor education and training.” We recommend that the new language be considered.

### *Subsections (e) and (f)*

The Board refers to “health care provider” in these subsections rather than the term “health care practitioner.” To be consistent throughout the regulation and with the language in the Act, the Board should change the references from “health care provider” to “health care practitioner.”

## **Pennsylvania Public Utility Commission Regulation No. 57-222**

### **Financial Reporting Requirements for All Telecommunications Carriers**

**November 8, 2001**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Pennsylvania Public Utility Commission (PUC) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 9, 2003, the regulation will be deemed withdrawn.

### **Chapter 71. Proprietary nature of financial reports.—Conflict with existing regulations.**

This proposed regulation amends definitions of utility classes, allows for alternate accounting systems and reduces the filing frequency of some reports. These changes are based on the findings of the Collaborative, a work group convened by the PUC to examine the financial reporting requirements of the telecommunications industry in a competitive market.

The Collaborative also recommended that certain schedules of the financial reports be automatically classified as proprietary. The PUC is implementing this recommendation through adoption of internal operating procedures, and not through the formal rulemaking process. However, these procedures conflict with Section 71.9 of the PUC’s existing regulations, which provides:

The financial reports are public documents. The reports will be maintained by the Secretary and will be available for public inspection. If a public utility requests proprietary treatment for information in the report, it shall be incumbent upon that utility to file a petition for protective order under § 5.43 (relating to petitions for issuance, amendment, waiver or repeal of regulations).

Under this regulation, the financial report and all of its components are a matter of public record, unless designated otherwise through issuance of a protective order. This regulation has the force and effect of law, and supersedes an internal policy to the contrary. Therefore, the PUC must propose an amendment to Section 71.9, if it wants to classify certain portions of a financial report as proprietary.

In addition, Section 71.9 allows a public utility to classify information contained in its financial reports as proprietary by filing a petition for a protective order

“under Section 5.43 (relating to petitions for issuance, amendment, waiver or repeal of regulations).” This is a typographical error. The correct citation is Section 5.423 (relating to orders to limit availability of proprietary information).

We recommend that the PUC initiate a rulemaking to amend Section 71.9 to adopt the policy recommended by the Collaborative and to correct the citation.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-2115. Filed for public inspection November 21, 2001, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-4910	State Board of Medicine Licensure, Certification, Examination Registration Fees	11/07/01

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-2116. Filed for public inspection November 21, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Pennsylvania Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 13, 2001, the Insurance Department received from the Pennsylvania Compensation Rating Bureau (PCRB) a filing for a loss cost level change for Workers' Compensation insurance. This filing is made in accordance with section 705 of Act 44 of 1993. The PCRB requests an overall 2.12% increase in collectible loss costs, effective April 1, 2002, on a new and renewal basis. Also, the PCRB has calculated the Employer Assessment Factor effective April 1, 2002, to be 3.37%, identical to the currently approved provision. Updates to a variety of other rating values and Manual rules to reflect the most recent experience are also being submitted for approval.

The entire April 1, 2002, loss cost filing will be available for review on the PCRB web site at [ww.pcrb.com](http://ww.pcrb.com) in the "Data Reports and Special Studies" section.

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Bureau of Regulation of Rates and Policies, 1311 Strawberry Square, Harrisburg, PA 17120 (e-mail at [kcreighton@state.pa.us](mailto:kcreighton@state.pa.us)) within 30 days

after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-2117. Filed for public inspection November 21, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-310965F7001. Verizon North Inc. and Ciera Network Systems, Inc.** Joint Petition of Verizon North Inc. and Ciera Network Systems, Inc. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Ciera Network Systems, Inc. filed on November 5, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Ciera Network Systems, Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2118. Filed for public inspection November 21, 2001, 9:00 a.m.]

### Telecommunications

**A-310827F7001. Verizon North Inc. and D-Tel, LLC.** Joint Petition of Verizon North Inc. and D-Tel, LLC for approval of Executed MFN Adoption of Interconnection, Resale and Unbundling Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Verizon North Inc. and D-Tel, LLC filed on November 5, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and D-Tel, LLC Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2119. Filed for public inspection November 21, 2001, 9:00 a.m.]

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### Telecommunications

**A-310535F7001. Verizon North Inc. and Network Access Solutions, Inc.** Joint Petition of Verizon North Inc. and Network Access Solutions, Inc. for approval of the Replacement Executed MFN Adoption to the Interconnection, Resale and Unbundling Agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Network Access Solutions, Inc. filed on November 5, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Replacement Interconnection, Resale and Unbundling Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Network Access Solutions, Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2120. Filed for public inspection November 21, 2001, 9:00 a.m.]

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### Telecommunications

**A-310995F7001. Verizon North Inc. and PulseNET, Inc.** Joint Petition of Verizon North Inc. and PulseNET, Inc. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and PulseNET, Inc. filed on November 5, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and PulseNET, Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2121. Filed for public inspection November 21, 2001, 9:00 a.m.]

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# 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". The 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.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development

374 Forum Building

Harrisburg, PA 17120

800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

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

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
Vendor Services Section  
717-787-2199 or 717-787-4705

### 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.

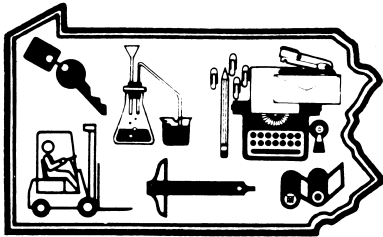
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*



### Commodities

**SP8111400033** Vendor to provide: MQ Secure for NT - 19 each; Candle Command Center (CCC) - 7 each; MQ Secure Maintenance - 20 each; and CCC Maintenance—7 each

**Department:** Office of Administration/Executive Offices  
**Contact:** Susan L. Rojas, (717) 787-8767

**1124181** E-1 EX (9-00) #10 Double Window Envelope #24 White. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Various  
**Duration:** FY 2001-2002  
**Contact:** Vendor Services, (717) 787-2199

**5820-01** Audio, Video, Photographic Supplies & Equipment. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Audio, Video, Photographic Supplies & Equipment, 5820-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5820-01 to ensure receipt by the Commonwealth on or before 1:30 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the Date: deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** Contract Period 10/01/99—09/30/01 Renewed to 09/30/02  
**Contact:** Vendor Services, (717) 787-2199

**1186111** Fleece. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Corrections  
**Location:** Waynesburg, PA  
**Duration:** FY 2001—02  
**Contact:** Vendor Services, (717) 787-2199

**1174381** Furnish and Install Wood Fencing. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Conservation and Natural Resources  
**Location:** Williamsport, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**6515-17 Supplement #1** Syringes and Needles. For a copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** Contract Period 06/01/01—05/31/02  
**Contact:** Vendor Services, (717) 787-2199

**5610-36** Plant Mixed Bituminous Material. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Transportation  
**Location:** Various, PA  
**Duration:** Contract Period 02/01/02—01/31/03  
**Contact:** Vendor Services, (717) 787-2199

**7810-01** Park and Playground Recreation Equipment ONLY. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** All Using Agencies of the Commonwealth, PA  
**Duration:** Contract Period 02/01/02—01/31/03  
**Contact:** Vendor Services, (717) 787-2199

**7350-05 RIP #1 / Supp #1** 705-6001. Food Service Equipment. For a copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** All Using Agencies of the Commonwealth, PA  
**Duration:** Contract Period 12/01/00—11/30/01 Renewed to 11/30/02  
**Contact:** Vendor Services, (717) 787-2199

**8212600** Check Encoding Machines. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**1182221** Bulk Liquid Oxygen/Bulk Tank Installation. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Fish and Boat Commission  
**Location:** Linesville, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

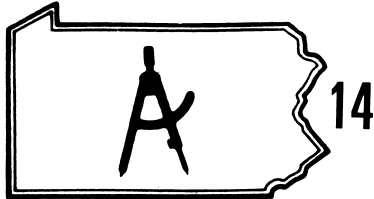
**104012** 3 calcium chloride tanks and 1 salt brine maker for Indiana County at 2 locations, 2 tanks and the salt brine maker at the Indiana stockpile and 1 calcium tank at our Marion Center location.

**Department:** Transportation  
**Location:** Pennsylvania Department of Transportation, Maintenance District 10-4, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701  
**Duration:** Tanks must be installed and working by 12-31-01  
**Contact:** Tom Betzold, (724) 357-2813

**8251120 Rebid** Loader (3 Cubic Yard) w/Snow Blower. For a copy of bid package, fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001—02  
**Contact:** Vendor Services, (717) 787-2199

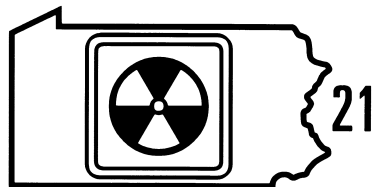
# SERVICES



## Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



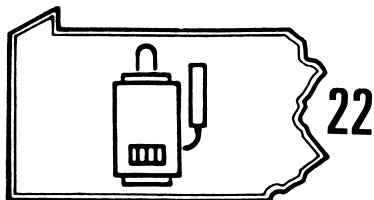
## Hazardous Material Services

**ENV101** Removal and disposal of hazardous and non-hazardous waste material, analytic services, and emergency response cleanup work.

**Department:** Transportation  
**Location:** District 3-0: Columbia, Lycoming, Montour, Northumberland, Sullivan, Snyder, Tioga, Union, and Bradford Counties.  
**Duration:** One year with up to four renewals (each a one year period).  
**Contact:** Sean C. Alexander, (570) 368-4309

**SP3512000007** Removal of aboveground and underground storage tank systems, (UST's): Site consists of one (1) 8,000-gal. UST; one (1) 1,500-gal. UST; one (1) 500-gal. aboveground tank; three (3) 275-gal. aboveground tanks. Scope of Work includes removal and disposal of the tank systems, and all associated materials and waste products, (water and gasoline).

**Department:** Environmental Protection  
**Location:** Former Moran's Service Station, School and Miner Sts., Hudson  
**Duration:** Proposed start date: 2/1/02. Termination date: 4/30/02  
**Contact:** Dorothy A. Fuller, (570) 826-2202



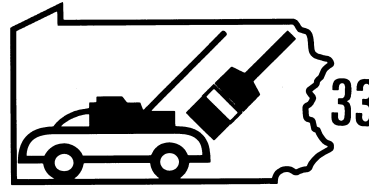
## HVAC Services

**080S82** This service bid contract is for providing electrical services at multiple Roadside Rest Areas at PENNDOT, within Engineering District 8-0. The Roadside Rest Areas include the following areas: Cumberland County- 2 Rest Areas, Dauphin County- 2 Rest Areas, Franklin County 1 Rest Area and York County- 1 Rest Area. Bid packages can be requested via Fax, (717) 772-0975, or by telephone at 717-787-6408. All requests must include Contractor's (company) name, address, phone number and E.I.N.#, FAX number, if available and name of a contact person.

**Department:** Transportation  
**Location:** Multiple PENNDOT Roadside Rest Areas located in Cumberland, Dauphin, Franklin and York County's.  
**Duration:** This service bid contract shall be renewable by mutual consent for a one year period with four (4) such renewals.  
**Contact:** William Tyson, (717) 787-7600

**SP1375017015** Maintenance and repairs of appliances, furnaces, units, etc. requiring propane.

**Department:** Military Affairs  
**Location:** Fort Indiantown Gap, Annville, PA  
**Duration:** Effective date through 30 September 2004  
**Contact:** Vicky Lengel, (717) 861-8579



## Property Maintenance

**MI-797A** Project Title: MI-797A Lenhardt Hall—Renovations. Brief Renovations to the recreation room, lobby, toilet rooms and dormitory rooms including but not limited to aesthetic enhancements; code compliance, HVAC and electrical upgrades; plumbing repairs and upgrades; mechanical systems life-cycle renewal. Project estimate \$1,395,000.00—\$1,513,146.00, four prime contracts: General Construction, HVAC Construction, Plumbing Construction, and Electrical Construction. Prevailing Wage Rates are applicable. MBE/WBE levels are: General \$30,000; HVAC \$15,000; Plumbing \$10,000; Electrical \$20,000. Plans cost \$125,000, nonrefundable, payable to Millersville University. Contact Jill Coleman to make arrangements to pick up plans.

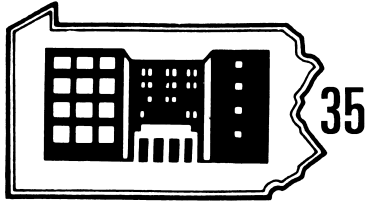
**Department:** State System of Higher Education  
**Location:** Lenhardt Hall, Millersville University, Millersville, PA 17551  
**Duration:** Start date 05/13/2002 Completion date 08/18/2002  
**Contact:** Jill Coleman, (717) 872-3730

**00671-000-01-AS-4** Fence Replacement - Scope of work involves removal of a chain link fence and construction of a painted wood fence, with gates & brick sidewalks at the Hamonist Cemetery. A pre-bid meeting will be held on Thursday, November 29, 2001 at 8:30 am at the Hamonist Cemetery, located at 11th & Church Street, in Ambridge for all firms interested in submitting bids for the project. For directions contact the Project Manager, Ted Strosser at (717) 772-4992. All interested bidders should submit a \$25.00 (non-refundable) check and a request for a bid package in writing to: PA. Historical & Museum Commission, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053—ATTENTION: Judi Yingling (717) 772-2401 OR - FAX - (717) 214-2988. All proposals are due on Thursday, December 13, 2001 at 11:45 am. Bid opening will be held in The Commonwealth Keystone Building, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053.

**Department:** Historical and Museum Commission  
**Location:** Old Economy Village, 14th & Church Streets, Ambridge, PA 15003  
**Duration:** January 1, 2002 to October 31, 2002  
**Contact:** Judi Yingling, (717) 772-2401

**080S83** This service bid contract is for providing mowing and general landscape maintenance at PENNDOT Engineering District 8-0's Roadside Rest Area Sites 45 & 46, I-81 Northbound and Southbound, Cumberland County. Bid packages can be requested via Fax, (717) 772-0975, or by telephone at (717) 787-6408. All requests must include the Contractor's Company Name, address, phone number, E.I.N.#, FAX number, if applicable and a name of a contact person.

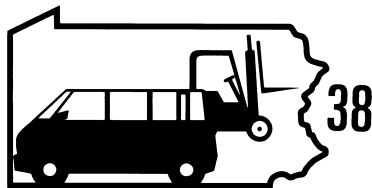
**Department:** Transportation  
**Location:** I-81, Northbound and Southbound, Rest Area Sites 45 & 46 Penn Township, Cumberland County  
**Duration:** 1 year contract with four (1) year renewals.  
**Contact:** William Tyson, (717) 787-7600



### Real Estate Services

**93339** LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Pennsylvania Probation and Parole Board with 3,603 useable square feet of office space within the City Limits of Lancaster, Lancaster County, PA. A minimum of six (6) parking spaces will be required. The offered space must be located within 3 blocks of public transportation. First floor space preferred. Downtown locations will be considered. For more information on SFP #93339 which is due on January 22, 2002 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call (717) 787-4394.

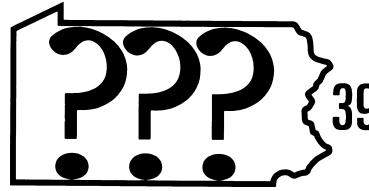
**Department:** Probation and Parole Board  
**Location:** 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 2001—2002  
**Contact:** John Hocker, (717) 787-4396



### Vehicle, Heavy Equipment and Powered Machinery Services

**2-2-00047** Eight (8) Electric tailgate liquid dispensing systems (Hydraulic Return Drive Systems). Each system shall be 12 Volt and have a 100-gallon minimum capacity polypropylene tank. System shall be complete with pump, pump control, nozzles, hoses, fittings, wiring and mounting hardware as required. All associated wiring necessary for the application shall be of the thermoplastic elastomer jacketed type. System must have the capability of being controlled with electronic spreader controls. Systems will be installed by Department force.

**Department:** Transportation  
**Location:** District 0220, Clearfield County, P. O. Box 245, Corner of Washington Avenue & Hall St., Hyde, PA 16843-0245  
**Duration:** 01/01/02 thru 12/31/02  
**Contact:** Debbie Swank, (814) 765-0524



### Miscellaneous

**420042** Feeler gage Units. Each unit consists of: 3 gage leafs of .003", .007" & .010" in thickness, cover to contain the three gages, 3 spare .003" gage leafs, and all the above packaged as one unit. For bid package call Jean Platt at (717) 783-6717 or fax name and address to (717) 783-5955.

**Department:** Transportation  
**Location:** PADOT, Bureau of Construction & Materials, 1118 State St., Harrisburg, PA 17105  
**Duration:** One time bid  
**Contact:** E. Jean Platt, (717) 783-6717

**110101** 1) Full Electric Bed, (5 each). No Mattress, with Full Side Rails. INVACARE ONLY. 2) Therapeutic Mattress, (5 each). Portable low air loss therapy mattress. Provides therapeutic benefit of pressure relief and skin moisture management and true low air loss for pressure ulcer therapy. Electrical Power: 1.15 vac, 50/60HZ, 2A; Dimensions: Standard mattress size, 84"L x 37"W x 9"H; Weight: 24 lbs; Weight Capacity: 350 lbs; Safety Code Approval: UL544, CA106; Mattress Cells: 200 Denier polyurethane coated nylon; Therapy Cover: 70 denier nylon with a polyurethane, breathable membrane layer; Polyester quilted upper layer. CA#117 fire retardancy. Warranty. Must have user friendly, whisper quiet control unit for mattress and easy storage capability. 100 liters per minute of fresh, dry air circulation between patient and support surface and provide Date: pressure relief below capillary closure. Reference Invacare model microAIR 35005 ONLY

**Department:** Public Welfare  
**Location:** Ebensburg Center, Department of Public Welfare, Rt. 22 West, P. O. Box 600, Ebensburg, PA 15931  
**Contact:** Marilyn Cartwright, Purchasing Agent, (814) 472-0259

**E 7876** Gypsy Moth/Native Insects Suppression Project. Aerial application of insecticides of approximately 80,000 acres over certain populated and non-populated forested areas in various counties in the Commonwealth of Pennsylvania to prevent defoliation of high value trees by the gypsy moths. This will result in multiple awards.

**Department:** Conservation and Natural Resources  
**Location:** Various counties in Pennsylvania  
**Duration:** Approximately April 15, 2002 through June 30, 2002  
**Contact:** Corinna Walters, (717) 783-0733

**TSCT01-005** Competition Wrestling Mat 45x45x600. 2 Bulldog Insignias on mat fringe. Wrestling Room Floor Mats 44x26. Go Dawgs on East Wall. Quik Stik Wall Padding. Bulldog on South Wall. Installation of Floor and Wall Padding. Transportation costs.

**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** November 6, 2001 to November 20, 2001  
**Contact:** Earla Ament, (717) 396-7163

**SP8111570032** Contractor to extend support and software subscription renewal to various GEMS SmartMedia, NetWorker software and 5 network client connections.

**Department:** Office of Administration/Executive Offices  
**Location:** Office of Administration, Bureau of Desktop Technology, 1 Technology Park, Harrisburg, PA 17110  
**Duration:** Contract is to run until June 30, 2002, with the option to extend for an additional 2 years. Vendor to provide pricing for all time periods.  
**Contact:** Susan L. Rojas, (717) 787-8767

**CTS-2001** Accredited institutions of higher education in Pennsylvania that provide preparation of teachers, social workers, psychologists, juvenile probation officers, youth counselors (i.e., school guidance, drug and alcohol, mental health) or school nurses, will be chosen as participants in the Commonwealth Student Assistance Program (SAP) Undergraduate Training Program and will receive a one-time grant award of up to \$17,500 to develop and deliver a SAP Undergraduate Training. All interested applicants must attend a mandatory pre-application meeting January 18, 2002. This is a competitive grant process. A grant application packet is available upon request.

**Department:** Education  
**Location:** Site of Grant Recipient  
**Duration:** July 1, 2002—September 30, 2003  
**Contact:** Kim Swarner, (717) 783-6777

[Pa.B. Doc. No. 01-2122. Filed for public inspection November 21, 2001, 9:00 a.m.]

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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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KELLY LOGAN,  
*Acting Secretary*



## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
3610-08 rip#1	11/15/01	Danka Office Imaging	50,000.00
3610-08 rip#1	11/15/01	IBM	50,000.00
3610-08 rip#1	11/15/01	IKON	50,000.00
3610-08 rip#1	11/15/01	Lanier World-wide	50,000.00
3610-08 rip#1	11/15/01	OCE Printing Systems USA	50,000.00
3610-08 rip#1	11/15/01	OCE-USA	50,000.00
3610-08 rip#1	11/15/01	Quality Copy Products	50,000.00
3610-08 rip#1	11/15/01	Phillips Office Products	50,000.00
5660-01	11/09/01	Keystone Fence Supplies	208,546.70
5810-03 sup#10	11/14/01	Docent	5,000.00
5810-03 sup#10	11/14/01	Hansen Information Technologies	5,000.00
5810-03 sup#10	11/14/01	Informant Technologies	5,000.00
5810-03 sup#10	11/14/01	Intellimark	10,000.00
5810-03 sup#10	11/14/01	Perfect Order	10,000.00
5810-03 sup#10	11/14/01	Princeton Softech	5,000.00
5810-03 sup#10	11/14/01	Progressive Technology Federal Systems	5,000.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
5810-03 sup#10	11/14/01	Relativity Technologies	5,000.00
5810-03 sup#10	11/14/01	Resourcelinc	15,000.00
5810-03 sup#10	11/14/01	Safersite	5,000.00
5810-03 sup#10	11/14/01	Shana Corp.	5,000.00
5810-03 sup#10	11/14/01	Smartforce	5,000.00
5810-03 sup#10	11/14/01	Unisys	5,000.00
5810-03 sup#10	11/14/01	Image Vision. Net	5,000.00
7350-07	11/09/01	Aladdin Temp-Rite LLC	292,968.25
7350-07	11/09/01	Dinex International	79,310.00
7350-07	11/09/01	Plastocon	450.00
7350-07	11/09/01	Jones Zylon	78,435.00
7350-07	11/09/01	W S Lee & Sons	202,681.75
7350-07	11/09/01	XpedX	131,845.75
9905-05	11/09/01	3M Traffic Control/ Materials Div.	224,250.00
1116151-01	11/13/01	Audio Innovators/ Pro-Com Systems	38,358.00
8251380-01	11/13/01	River's Truck Center	62,378.00

KELLY P. LOGAN,  
Acting Secretary

[Pa.B. Doc. No. 01-2123. Filed for public inspection November 21, 2001, 9:00 a.m.]