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## January 21, 2012 (Pages 367-536)

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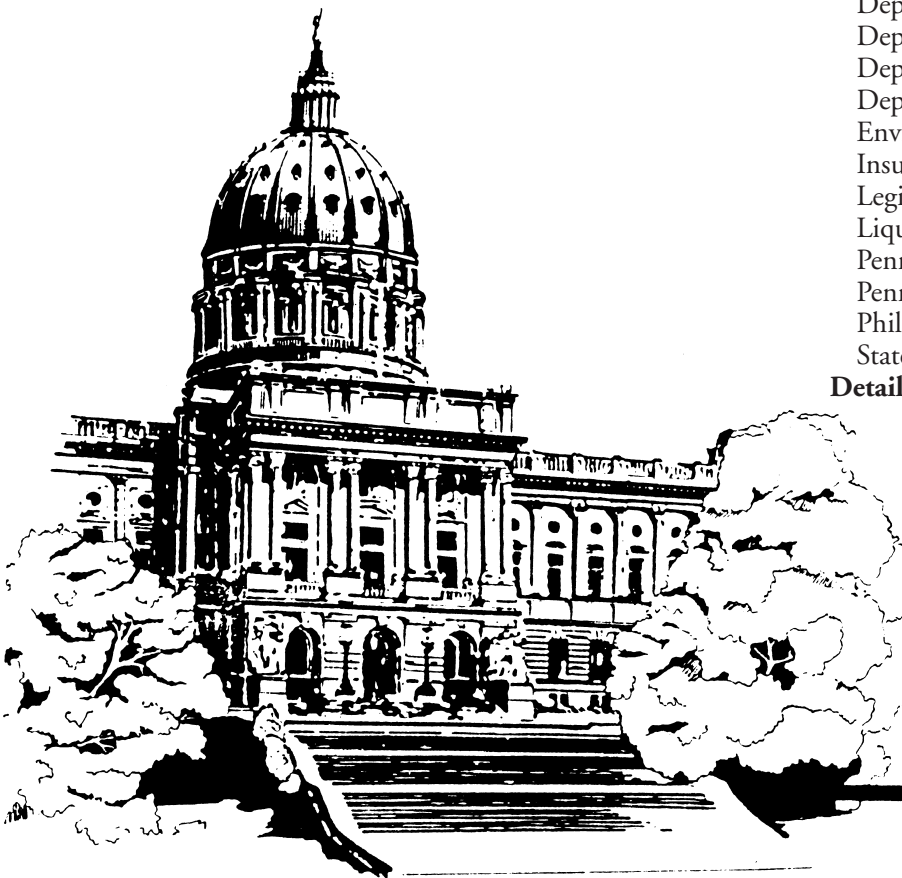
# PENNSYLVANIA BULLETIN

Volume 42  
Saturday, January 21, 2012 • Harrisburg, PA  
Number 3  
Pages 367—536

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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 446, January 2012**

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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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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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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 2012.

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CH. 3 ]

#### Amendment of Rules 311 and 342 of the Rules of Appellate Procedure; No. 217 Appellate Proce- dural Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 29th day of December, 2011, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published before adoption at 40 Pa.B. 3659 (July 3, 2010):

*It Is Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 311 and 342 of the Pennsylvania Rules of Appellate Procedure 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 and applicable to all Orphans' Court orders entered forty-five days after adoption.

#### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE I. PRELIMINARY PROVISIONS

#### CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

#### INTERLOCUTORY APPEALS

#### Rule 311. Interlocutory Appeals as of Right.

(a) *General rule.* An appeal may be taken as of right and without reference to Pa.R.A.P. 341(c) from:

\* \* \* \* \*

(8) [ *Estate and trust matters.* An order determining the validity of a will or trust.

(9) ] *Other cases.* An order which is made appealable by statute or general rule.

\* \* \* \* \*

**Official Note:** Authority—This rule implements 42 Pa.C.S. § 5105(c) (interlocutory appeals), which provides:

\* \* \* \* \*

The appeal rights under this rule, and under Rule 312 ([ **interlocutory appeals by permission** ] **Interlocutory Appeals by Permission**), Rule 313 ([ **collateral orders** ] **Collateral Orders**), Rule 341 ([ **final orders generally** ] **Final Orders; Generally**), and Rule 342 ([ **final distribution orders** ] **Appealable Orphans' Court Orders**), are cumulative; and no inference shall be drawn from the fact that two or more rules may be applicable to an appeal from a given order.

\* \* \* \* \*

Following a 2005 amendment to Rule 311, orders determining the validity of a will or trust were

appealable as of right under former subdivision (a)(8). Pursuant to the 2011 amendments to Rule 342 (Appealable Orphans' Court Orders), such orders are now immediately appealable under subdivision (a)(2) of Rule 342.

Paragraph [ (a)(9) ] (a)(8) (Other cases)—Paragraph [ (a)(9) ] (a)(8) is directed primarily to statutes and general rules hereafter enacted or promulgated. The current text of the Pennsylvania Rules of Civil Procedure, the Pennsylvania Rules of Criminal Procedure, etc., should be consulted to identify any interlocutory appeal rights provided for therein. See also, e.g., 42 Pa.C.S. § 7320 (appeals from court orders), concerning appeals from certain orders in nonjudicial arbitration proceedings, which section is not suspended by these rules. See Rule 5102(a) (Judicial Code unaffected).

\* \* \* \* \*

#### [ Explanatory Comment—2005

Orders determining the validity of a will or trust including, but not limited to, orders of the Orphans' Court following the grant or denial of probate by the Register of Wills are immediately appealable pursuant to the 2005 amendment of this rule. Prior to the 2005 amendment, the Superior Court often permitted an immediate appeal from such orders without determining the basis for an immediate appeal under the Rules of Appellate Procedure. See *Estate of Janosky*, 2003 Pa. Super. 230, 827 A.2d 512 (2003), and *Estate of Luongo*, 2003. 171, 823 A.2d 942 (2003). However, in *Estate of Schmitt*, 2004. 43, 846 A.2d 127 (2004), a panel of the Superior Court held that an order sustaining the Register's striking of a caveat was not immediately appealable as a final order under Pa.R.A.P. 341(b). In response to the *Schmitt* decision, the Appellate Court Procedural Rules Committee decided that while orders determining the validity of a will or trust are not strict final orders under Subdivision (b) of Rule 341, it is not practical to administer an estate or trust while there is a pending challenge to the validity of the instrument. Accordingly, a party seeking to probate an instrument, or to challenge the validity of an instrument, will be allowed to take an immediate interlocutory appeal as of right under Rule 311, and shall be bound by the waiver doctrine if such party does not file an immediate appeal. See the 2005 amendment to Subdivision (g) of this rule. ]

#### FINAL ORDERS

Rule 342. [ **Orphans' Court Orders Appealable. Orders Determining Realty, Personalty and Status of Individuals or Entities. Orders Making Distribution** ] (Rescinded).

[ An order of the Orphans' Court Division making a distribution, or determining an interest in realty or personalty or the status of individuals or entities shall be immediately appealable:

(1) upon a determination of finality by the Orphans' Court Division, or

(2) as otherwise provided by Chapter 3 of these rules.

**Official Note:** This rule was amended in 2001 to allow appeals from orders determining an interest in realty, personalty or status of individuals or entities, upon certification of the Orphans' Court judge. Prior to the 2001 amendment, this rule only permitted appeals from an order of distribution not final under Rule 341(b). The amendment to the rule was not intended to preclude immediate appeals in Orphans' Court matters as heretofore permitted under Rule 311 (Interlocutory Appeals as of Right) and Rule 313 (Collateral Orders).

However, Rule 342 may have been ambiguous in that regard because in *Estate of Sorber*, 2002 Pa. Super. 226, 803 A.2d 767 (2002), a panel of the Superior Court interpreted the 2001 amendment of Rule 342 to preclude immediate appeals from collateral orders unless determined to be final by the Orphans' Court judge. The holding in *Estate of Sorber*, to wit, that Rule 342 precludes collateral order appeals under Rule 313, is now superseded by the 2005 amendment to Rule 342.

The 2005 amendment provides that Rule 342 is not the exclusive means for appealing orders: (a) determining an interest in realty or personalty or the status of individuals or entities, or (b) making a distribution. An aggrieved party may appeal such orders under any other Rule in Chapter 3 of the Rules of Appellate Procedure to the extent that the order meets the requirements for appealability under any such rule. ]

#### Rule 342. Appealable Orphans' Court Orders.

(a) **General rule.** An appeal may be taken as of right from the following orders of the Orphans' Court Division:

(1) An order confirming an account, or authorizing or directing a distribution from an estate or trust;

(2) An order determining the validity of a will or trust;

(3) An order interpreting a will or a document that forms the basis of a claim against an estate or trust;

(4) An order interpreting, modifying, reforming or terminating a trust;

(5) An order determining the status of fiduciaries, beneficiaries, or creditors in an estate, trust, or guardianship;

(6) An order determining an interest in real or personal property;

(7) An order issued after an inheritance tax appeal has been taken to the Orphans' Court pursuant to either 72 Pa.C.S. § 9186(a)(3) or 72 Pa.C.S. § 9188, or after the Orphans' Court has made a determination of the issue protested after the record has been removed from the Department of Revenue pursuant to 72 Pa.C.S. § 9188(a); or

(8) An order otherwise appealable as provided by Chapter 3 of these rules.

(b) **Definitions.** As used in this rule:

(1) "estate" includes the estate of a decedent, minor, incapacitated person, or principal under Chapters 33, 35, 51, 55 and 56 of Title 20 of the Pennsylvania Consolidated Statutes ("Probate, Estates and Fiduciaries Code") ("PEF Code");

(2) "trust" includes inter vivos and testamentary trusts and the "custodial property" under Chapters 53 and 77 of the PEF Code; and

(3) "guardianship" includes guardians of the person for both minors and incapacitated persons under Chapters 51 and 55 of the PEF Code.

(c) **Waiver of objections.** Failure to appeal an order that is immediately appealable under paragraphs (a)(1)—(7) of this rule shall constitute a waiver of all objections to such order and such objections may not be raised in any subsequent appeal.

**Official Note:** In 1992, the Supreme Court amended Rule 341 to make clear that, as a general rule, a final order is an order that ends a case as to all claims and all parties. Because of this amendment, many Orphans' Court orders that may have been considered constructive final orders prior to 1992 became unappealable interlocutory orders. Although some Orphans' Court orders were construed by case law to be appealable as collateral orders, *see Estate of Petro*, 694 A.2d 627 (Pa. Super. 1997), the collateral order doctrine was neither consistently applied nor was it applicable to other Orphans' Court orders that previously had been considered final under the "final aspect" doctrine. *See, e.g. Estate of Habazin*, 679 A.2d 1293 (Pa. Super. 1996).

In response, the Supreme Court revised Rule 342 that initially permitted appeals from Orphans' Court orders concerning distribution even if the order was not considered final under the definition of Rule 341(b). In 2001, Rule 342 was amended to also allow appeals from orders determining an interest in realty or personalty or the status of individuals or entities, in addition to orders of distribution, if the Orphans' Court judge made a determination that the particular order should be treated as final. In 2005, the Supreme Court amended Rule 342 again, adding subdivision (2) to clarify that Rule 342 was not the exclusive method of appealing Orphans' Court orders.

Also, in 2005, the Supreme Court amended Rule 311 to provide for an interlocutory appeal as of right from an order determining the validity of a will or trust. *See former Rule 311(a)(8)*. Such an order needed to be immediately appealable and given finality so that the orderly administration of the estate or trust could proceed appropriately.

Since 2005, it has become apparent that other adversarial disputes arise during the administration of an estate, trust or guardianship, and that orders adjudicating these disputes also must be resolved with finality so that the ordinary and routine administration of the estate, trust or guard-

ianship can continue. See *Estate of Stricker*, 602 Pa. 54, 63-64, 977 A.2d 1115, 1120 (2009) (Saylor, J., concurring). Experience has proven that the determination of finality procedure in subdivision (1) of Rule 342 is not workable and has been applied inconsistently around the Commonwealth. See *id.* (citing *Commonwealth v. Castillo*, 585 Pa. 395, 401, 888 A.2d 775, 779 (2005) (rejecting the exercise of discretion in permitting appeals to proceed)).

Experience has also proven that it is difficult to analogize civil litigation to litigation arising in estate, trust and guardianship administration. The civil proceeding defines the scope of the dispute, but the administration of a trust or estate does not define the scope of the litigation in Orphans' Court. Administration of a trust or an estate continues over a period of time. Litigation in Orphans' Court may arise at some point during the administration, and when it does arise, the dispute needs to be determined promptly and with finality so that the guardianship or the estate or trust administration can then continue properly and orderly. Thus, the traditional notions of finality that are applicable in the context of ongoing civil adversarial proceedings do not correspond to litigation in Orphans' Court.

In order to facilitate orderly administration of estates, trusts and guardianships, the 2011 amendments list certain orders that will be immediately appealable without any requirement that the Orphans' Court make a determination of finality. Orders falling within subdivisions (a)(1)—(7) no longer require the lower court to make a determination of finality.

Subdivisions (a)(1)—(7) list orders that are unique to Orphans' Court practice, but closely resemble final orders as defined in Rule 341(b). Subdivision (a)(1) provides that the adjudication of any account, even an interim or partial account, is appealable. Previously, only the adjudication of the final account would have been appealable as a final order under Rule 341. The prior limitation has proven unworkable for estate administration taking years and trusts established for generations during which interim and partial accounts may be adjudicated and confirmed. The remainder of subdivision (a)(1) permits appeals from orders of distribution as Rule 342 always has permitted since its initial adoption. Subdivision (a)(2) is a new placement for orders determining the validity of a will or trust that previously were appealable as interlocutory appeals as of right following the 2005 amendment to Rule 311. See prior Rule 311(a)(8). Subdivision (a)(3) is a new provision that allows an immediate appeal from an order interpreting a will or other relevant document that forms the basis of a claim asserted against an estate or trust. Such orders can include, among other things, an order determining that a particular individual is or is not a beneficiary or determining if an underlying agreement executed by the decedent during life creates rights against the estate. Subdivision (a)(4) addresses trusts and is similar to subdivision (a)(3), but also permits immediate appeals from orders modifying, reforming or terminating a trust since such judicial actions are now permitted under 20 Pa.C.S. § 7740 et seq. Subdivision (a)(5) is intended to clarify prior Rule 342 in several respects: First, an appealable Orphans' Court order concerning the status of individuals or entities means an order

determining if an individual or entity is a fiduciary, beneficiary or creditor, such as an order determining if the alleged creditor has a valid claim against the estate. Second, such orders include orders pertaining to trusts and guardianships as well as estates. Finally, this subdivision resolves a conflict in prior appellate court decisions by stating definitively that an order removing or refusing to remove a fiduciary is an immediately appealable order. Subdivision (a)(6) retains the same language from prior Rule 342. Subdivision (a)(7) permits appeals of an Orphans' Court order concerning an inheritance tax appraisal, assessment, allowance or disallowance when such order is issued separately and not in conjunction with the adjudication of an account. Sections 9186 and 9188 of Chapter 72 provide three procedures, outside the context of an accounting, whereby either the personal representative or the Department of Revenue may bring before the Orphans' Court a dispute over inheritance taxes imposed. See also *Estate of Gail B. Jones*, 796 A.2d 1003 (Pa. Super. 2002) (analogizing a petition regarding the apportionment of inheritance taxes to a declaratory judgment petition given that an estate account had not yet been filed). A decision concerning inheritance taxes issued in conjunction with the adjudication of an account would be appealable under subdivision (a)(1).

In keeping with the 2005 amendment that added subdivision (2) to prior Rule 342, subdivision (a)(8) tracks subdivision (2) of former Rule 342. Subdivision (2) was adopted in response to *Estate of Sorber*, 2002 Pa. Super. 226, 803 A.2d 767 (2002), a panel decision holding that Rule 342 precluded immediate appeals from orders that would have otherwise been appealable as collateral orders under Rule 313 unless the Orphans' Court judge made a determination of finality under Rule 342. Subdivision (a)(8) makes clear that Rule 342, as amended, is still not the sole method of appealing an Orphans' Court order and an order not otherwise immediately appealable under Rule 342 may still be immediately appealable if it meets the criteria under another rule in Chapter 3 of these rules. Examples would include injunctions appealable under Rule 311(a)(4), Interlocutory Orders Appealable by Permission under Rules 312 and 1311, Collateral Orders appealable under Rule 313, and an order approving a final accounting which is a true final order under Rule 341. Whether or not such orders require certification or a further determination of finality by the trial court depends on the applicable rule in Chapter 3. Compare Rules 311(a)(4), 313 and 341(c) with Rules 312 and 1311.

Failure to appeal an order that is immediately appealable under subdivisions (a)(1)—(7) of this rule shall constitute a waiver of all objections to such order and may not be raised in any subsequent appeal. See Subdivision (c) of this Rule. The consequences of failing to appeal an Orphans' Court order under (a)(8) will depend on whether such order falls within Rules 311, 312, 313, 1311 or 341.

[Pa.B. Doc. No. 12-74. Filed for public inspection January 20, 2012, 9:00 a.m.]



# Title 231—RULES OF CIVIL PROCEDURE

## PART I. GENERAL

### [ 231 PA. CODE CH. 200 ]

#### Amendment of Rule 223.1 of the Rules of Civil Procedure; No. 554 Civil Procedural Rules Doc.

#### Order

*Per Curiam*

And Now, this 23rd day of December, 2011, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 40 Pa.B. 6259 (October 30, 2010) and in the *Atlantic Reporter* (Third Series Advance Sheets, Vol. 4 No. 4):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 223.1 of the Pennsylvania Rules of Civil Procedure is 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, 2012.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 223.1. Conduct of the Trial. Trial by Jury.

\* \* \* \* \*

(c) The court may

(1) permit specified testimony to be read back to the jury upon the jury's request,

(2) charge the jury at any time during the trial, [ and ]

**Official Note:** The court is not limited to charging the jury after the closing argument by the attorneys[ , ].

(3) make exhibits available to the jury during its deliberations[ . ], and

(4) make a written copy of the charge or instructions, or a portion thereof, available to the jury following the oral charge or instructions at the conclusion of evidence for use during its deliberations.

#### Explanatory Comment

Current Rule 223.1 governing the conduct of a jury trial does not contain a provision for the trial court to give the jury a written copy of the oral charge or instructions. With the recent adoption of amendments to Pa.R.Crim.P. 646, which permits a trial judge to allow the jury to have written copies of the judge's charge during deliberations, the Supreme Court has adopted a similar amendment to Rule 223.1. The amendment to subdivision (c)(4) will permit the trial court to provide the jury with a written

copy of the oral charge or instructions at the conclusion of evidence.

*By the Civil Procedural Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 12-75. Filed for public inspection January 20, 2012, 9:00 a.m.]

## PART I. GENERAL

### [ 231 PA. CODE CH. 200 ]

#### Damages for Delay

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 238. Damages for Delay in an Action for Bodily Injury, Death or Property Damage.

\* \* \* \* \*

#### Addendum to Explanatory Comment (2012)

The prime rate as set forth in the first edition of the *Wall Street Journal* for a particular year is the basis for calculating damages for delay under Pa.R.C.P. No. 238 as revised November 7, 1988. The prime rate published in the first edition of the *Wall Street Journal* for each of the years specified is as follows:

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 3, 2012	3 1/4
January 3, 2011	3 1/4
January 4, 2010	3 1/4
January 2, 2009	3 1/4
January 2, 2008	7 1/4
January 2, 2007	8 1/4
January 3, 2006	7 1/4
January 3, 2005	5 1/4
January 2, 2004	4
January 2, 2003	4 1/4
January 2, 2002	4 3/4
January 2, 2001	9 1/2
January 3, 2000	8 1/2
January 4, 1999	7 3/4
January 2, 1998	8 1/2

**Official Note:** The prime rate for the years 1980 through 1997 may be found in the Addendum to the Explanatory Comment published in the *Pennsylvania Bulletin*, volume 33, page 634 (2/1/03) and on the web site of the Civil Procedural Rules Committee at <http://www.pacourts.us>.

*By the Civil Procedural Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 12-76. Filed for public inspection January 20, 2012, 9:00 a.m.]

## PART I. GENERAL

### [ 231 PA. CODE CH. 200 ]

#### Proposed New Rules 220.1 and 220.2, and Amendment of Current Rules 220.1 and 223.1 Governing the Use of Electronic Devices by Jurors; Proposed Recommendation No. 254

The Civil Procedural Rules Committee proposes that new Rules of Civil Procedure 220.1 and 220.2, and

current Rules 220.1 and 223.1 governing the use of electronic devices by jurors be promulgated and amended as set forth herein. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court of Pennsylvania. All communications in reference to the proposed recommendation should be sent no later than March 2, 2012 to:

Karla M. Shultz  
Counsel  
Civil Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
P. O. Box 62635  
Harrisburg PA 17106-2635  
FAX 717-231-9526  
civilrules@pacourts.us

### Annex A

## TITLE 231. RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

(*Editor's Note:* Rules 220.1 and 220.2 are new and printed in regular type to enhance readability.)

#### Rule 220.1. Preliminary Instructions to Potential Jurors.

(a) For purposes of this rule, "prospective jurors" means those persons who have been chosen to be part of the panel from which the trial jurors and alternate jurors will be selected. "Selected jurors" means those members of the panel who have been selected to serve as trial jurors or alternate jurors.

(b) Persons selected for jury service, upon their arrival for this service, shall be instructed in their duties while serving as prospective jurors and selected jurors.

(c) At a minimum, the persons selected for jury service shall be instructed that until their service as prospective or selected jurors is concluded, they shall not:

(1) discuss any case in which they have been chosen as prospective jurors or selected jurors with others, including other jurors, except as otherwise authorized by the court;

(2) read or listen to any news reports about any such case;

(3) use a computer, cellular telephone, or other electronic device with communication capabilities while in attendance at trial or during deliberation. These devices may be used during breaks or recesses but may not be used to obtain or disclose information prohibited in subdivision (c)(4);

(4) use a computer, cellular telephone, or other electronic device with communication capabilities, or any other method, to obtain or disclose information about any case in which they have been chosen as prospective or selected jurors. Information about the case includes, but is not limited to, the following:

(i) information about a party, witness, attorney, judge, or court officer;

(ii) news accounts of the case;

(iii) information collected through juror research on any topics raised or testimony offered by any witness;

(iv) information collected through juror research on any other topic the juror might think would be helpful in deciding the case.

(d) These instructions shall be repeated:

(1) to the prospective jurors at the beginning of voir dire;

(2) to the selected jurors at the commencement of the trial;

(3) to the selected jurors prior to deliberations; and

(4) to the selected jurors during trial as the trial judge deems appropriate.

**Official Note:** For comprehensive jury instructions on the use of electronic devices by jurors in civil cases, see Section 1.180 of the Pennsylvania Suggested Civil Jury Instructions, Pa. SSJI (Civ), § 1.180.

For guidance regarding the use of electronic devices in the courtroom by persons other than jurors, see Canon 3A(7) of the Code of Judicial Conduct.

#### Rule 220.2. Sanctions for Use of Prohibited Communication Devices.

Any individual who violates the provisions of Rule 220.1 regarding the use of electronic devices by jurors or who violates any reasonable limitation imposed by local rule or by the trial judge regarding the prohibited use of electronic devices during court proceedings:

(a) may be found in contempt of court and sanctioned in accordance with 42 Pa.C.S. § 4132 et seq., and

(b) may be subject to sanctions deemed appropriate by the trial judge, including, but not limited to, the confiscation of the electronic device that is used in violation of this rule.

#### Rule [ 220.1 ] 220.3. Voir Dire.

(a) **Prospective jurors shall be instructed on their duties and restrictions while serving as jurors, including those provided in Rule 220.1.**

(b) Voir dire shall be conducted to provide the opportunity to obtain at a minimum a full description of the following information, where relevant, concerning the prospective jurors and their households:

\* \* \* \* \*

(16) **Ability to refrain from using a computer, cellular telephone or other electronic device with communication capabilities in violation of the provisions of Rule 220.1; and**

(17) Such other pertinent information as may be appropriate to the particular case to achieve a competent, fair and impartial jury.

**Official Note:** For example, under presently prevailing law as established by the Superior Court, *voir dire* should have been allowed with respect to the effect of pre-trial publicity on prospective jurors' "attitudes regarding medical malpractice and tort reform." *Capoferri v. Children's Hosp. of Phila.*, 893 A.2d 133 (Pa. Super. 2006) (en banc).

[ (b) ] (c) The court may provide for voir dire to include the use of a written questionnaire. However, the use of a written questionnaire without the opportunity for oral examination by the court or counsel is not a sufficient voir dire.

**Official Note:** The parties or their attorneys may conduct the examination of the prospective jurors unless the court itself conducts the examination or otherwise directs that the examination be conducted by a court employee. Any dispute shall be resolved by the court.

A written questionnaire may be used to facilitate and expedite the voir dire examination by providing the trial judge and attorneys with basic background information about the jurors, thereby eliminating the need for many commonly asked questions.

**[(c)] (d)** The court may permit all or part of the examination of a juror out of the presence of other jurors.

**Rule 223.1. Conduct of the Trial. Trial by Jury.**

**(a) The trial judge shall give instructions to the jury before the taking of evidence as provided in Rule 220.1.**

**(b)** In conducting a trial by jury, the court may use one or more of the procedures provided in subdivisions **[(b) and ] (c) and (d)** as may be appropriate in the particular case.

**Official Note:** This rule catalogs certain procedures which may be utilized in the conduct of a jury trial. Since the court has broad power and discretion in the manner in which it conducts a jury trial, it is not intended that this rule be construed as enlarging, restricting or in any way affecting that power and discretion.

See Rule 223.2 for juror note taking in civil cases.

**[(b)] (c)** The court may permit jurors to view a premises or a thing in or on a premises.

**Official Note:** See Rule 219 governing view of premises.

**[(c)] (d)** The court may

\* \* \* \* \*

**Explanatory Comment**

The Civil Procedural Rules Committee is proposing new Rules 220.1 and 220.2 and the amendment of current Rules 220.1 and 223.1. The proposed changes are intended to provide guidance to the bench and bar regarding the use of electronic devices by jurors in civil cases.

The proposed rules and amendments provide for jurors to be instructed that the use of electronic devices is restricted during their tenure as a prospective juror, *i.e.* a member of the jury pool, and as a selected juror. The proposal would require the trial court to instruct jurors that they may not conduct independent research on the Internet about the case, communicate about the case electronically, *e.g.* “tweeting” or “blogging,” or use such devices during juror deliberations. The proposal provides for the trial court to instruct jurors at the earliest opportunity of interaction between the juror and the trial court, and then be repeated as often as practicable. The proposal also provides for sanctions against any person who violates the provisions of these rules. It should also be noted that a note to new Rule 220.1 cross-references Section 1.180 of the Pennsylvania Suggested Civil Jury Instructions, Pa. SSJI (Civ), § 1.180. These instructions specifically address the use of electronic devices by juror.

While the proposal focuses on the use of electronic devices by jurors, it remains silent as to their use in the courtroom by the public and media. Canon 3A(7) of the Code of Judicial Conduct outlines the responsibility of a trial court regarding the broadcasting, televising, or

taking of photographs in the courtroom in civil proceedings.

*By the Civil Procedural Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 12-77. Filed for public inspection January 20, 2012, 9:00 a.m.]

**PART I. GENERAL**

**[ 231 PA. CODE CH. 1910 ]**

**Amendment of Rules 1910.11 and 1910.12 of the Rules of Civil Procedure; No. 555 Civil Procedural Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 23rd day of December, 2011, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 41 Pa.Bull. 3527 (July 2, 2011) and West’s *Pennsylvania Reporter*, 21 A.3d No. 3, Ct.R-3-5 (August 5, 2011):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1910.16-2 and Rule 1910.16-4 of the Pennsylvania Rules of Civil Procedure 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 on January 31, 2012.

**Annex A**

**TITLE 231. RULES OF CIVIL PROCEDURE**

**PART I. GENERAL**

**CHAPTER 1910. ACTIONS FOR SUPPORT**

**Rule 1910.11. Office Conference. Subsequent Proceedings. Order.**

\* \* \* \* \*

**(d)(1)** The conference officer **[ may ] shall** make a recommendation to the parties of an amount of support **[ which is ]** calculated in accordance with the guidelines.

**(2)** If an agreement for support is reached at the conference, the officer shall prepare a written order substantially in the form set forth in Rule 1910.27(e) and in conformity with the agreement for signature by the parties and submission to the court together with the officer’s recommendation for approval or disapproval. The court may enter the order in accordance with the agreement without hearing the parties.

**(3) In all cases in which one or both parties are unrepresented, the parties must provide income information to the domestic relations section so that a guidelines calculation can be performed.**

**(4) In cases in which both parties are represented by counsel, the parties shall not be obligated to provide income information and the domestic relations section shall not be required to perform a guidelines calculation if the parties have reached an agreement about the amount of support and the amount of contribution to additional expenses.**

\* \* \* \* \*



### Explanatory Comment—2011

The rule has been amended to require that income information be provided in all cases, unless both parties are represented in reaching an agreement, so that a guidelines calculation can be performed. The guidelines create a rebuttable presumption that the amount calculated pursuant to them is the correct amount, so there should be a calculation in every case. If parties agree to receive or to pay an order other than the guideline amount, they should know what that amount is so that they can enter an agreement knowingly. If both parties are represented by counsel, it is assumed that their entry into the agreement for an amount other than a guidelines amount is knowing as it is counsel's responsibility to advise the parties. In addition, part of the mandatory quadrennial review of the support guidelines mandates a study of the number of cases in which the support amount ordered varies from the amount that would result from a guidelines calculation. Federal regulations presume that if a large percentage of cases vary from the guideline amount, then the guidelines are not uniform statewide.

#### Rule 1910.12. Office Conference. Hearing. Record. Exceptions. Order.

(a) There shall be an office conference as provided by Rule 1910.11(a) through (d). **The provisions of Rule 1910.11(d)(2) regarding income information apply in cases proceeding pursuant to Rule 1910.12.**

\* \* \* \* \*

[Pa.B. Doc. No. 12-78. Filed for public inspection January 20, 2012, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 1 AND 6 ]

### Proposed New Pa.Rs.Crim.P. 626 and 627, Proposed Amendments to Pa.Rs.Crim.P. 112, 631 and 647 and Proposed Renumbering of Pa.R.Crim.P. 630

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt new Rules 626 and 627, amend Rules 631, and 647, and renumber Rule 630 to provide for instructions to prospective and selected jurors concerning the use of personal communications devices during their service. The proposal also amends Rule 112 to clarify that the prohibition against broadcasting from the courtroom includes the use of cellphones and other similar electronic communications devices. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rule precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Jeffrey M. Wasileski, Counsel  
Supreme Court of Pennsylvania  
Criminal Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
Harrisburg, PA 17106-2635  
fax: (717) 231-9521  
e-mail: criminalrules@pacourts.us

no later than Friday, April 6, 2012.

By the Criminal Procedural Rules Committee:

PHILIP D. LAUER,  
*Chair*

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

##### PART A. Business of the Courts

#### Rule 112. Publicity, Broadcasting, and Recording of Proceedings.

(A) The court or issuing authority shall:

(1) prohibit the taking of photographs, video, or motion pictures of any judicial proceedings or in the hearing room or courtroom or its environs during the judicial proceedings; and

(2) prohibit the transmission of communications by telephone, radio, television, or advanced communication technology **including but not limited to cellular telephones, or other electronic devices with communication capabilities**, from the hearing room or the courtroom or its environs during the progress of or in connection with any judicial proceedings, whether or not the court is actually in session.

The environs of the hearing room or courtroom is defined as the area immediately surrounding the entrances and exits to the hearing room or courtroom.

(B) **A court or issuing authority may permit the attorneys in a proceeding, their employees and agents, to make reasonable and lawful use of an electronic device in connection with the proceeding.**

(C) The court or issuing authority may permit the taking of photographs, or radio or television broadcasting, or broadcasting by advanced **communication** technology, of judicial proceedings, such as naturalization ceremonies or the swearing in of public officials, which may be conducted in the hearing room or courtroom.

[ (C) ] (D) Except as provided in paragraph (D), the stenographic, mechanical, or electronic recording, **or** the recording using any advanced communication technology, of any judicial proceedings by anyone other than the official court stenographer in a court case, for any purpose, is prohibited.

[ (D) ] (E) In a judicial proceeding before an issuing authority, the issuing authority, the attorney for the Commonwealth, the affiant, or the defendant may cause a recording to be made of the judicial proceeding as an aid to the preparation of the written record for subsequent



use in a case, but such recordings shall not be publicly played or disseminated in any manner unless in a court during a trial or hearing.

[ (E) ] (F) If it appears to the court or issuing authority that a violation of this rule has resulted in substantial prejudice to the defendant, the court or issuing authority, upon application by the attorney for the Commonwealth or the defendant, may:

\* \* \* \* \*

**Comment**

This rule combines and replaces former Rules 27 and 328.

“Recording” as used in this rule is not intended to preclude the use of recording devices for the preservation of testimony as permitted by Rules 500 and 501.

The prohibitions under this rule are not intended to preclude the use of advanced communication technology for purposes of conducting court proceedings.

**Paragraph (A) was amended in 2011 to clarify that the prohibition against transmitting from the courtroom or environs includes transmission by cellular phone, personal communications device, computer, or any other electronic device that has communications capabilities or internet connectivity.**

**New paragraph (B) was added in 2011 to recognize that the court may allow use of electronic technology by the attorneys during the proceedings when such use is lawful and practicable.**

**Nothing in this rule is intended to preclude the use of cameras or other equipment operated by court personnel for the purpose of ensuring security in the courtroom.**

**Official Note:** Former Rule 27, previously Rule 143, adopted January 31, 1970, effective May 1, 1970; renumbered Rule 27 September 18, 1973, effective January 1, 1974; amended February 15, 1974, effective immediately; Comment revised March 22, 1989, effective July 1, 1989; amended June 19, 1996, effective July 1, 1996; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 112. Former Rule 328 adopted January 25, 1971, effective February 1, 1971; amended June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; Comment revised March 22, 1989, effective July 1, 1989; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 112. New Rule 112 adopted March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; **amended , 2012, effective , 2012.**

*Committee Explanatory Reports:*

**FORMER RULE 27:**

Final Report explaining the June 19, 1996 amendments to former Rule 27 published with the Court’s Order at 26 Pa.B. 3128 (July 6, 1996).

**NEW RULE 112:**

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules, and the provisions of Rule 112, published **with the Court’s Order** at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

Final Report explaining the May 10, 2002 amendments published with the Court’s Order at 32 Pa.B. 2591 (May 25, 2002).

**Report explaining the proposed amendments regarding the use of electronic devices for transmitting from the courtroom published for comment at 42 Pa.B. 384 (January 21, 2012).**

**CHAPTER 6. TRIAL PROCEDURES IN COURT CASES**

**PART C. Jury Procedures**

Rule [ 630 ] **625.** Juror Qualification Form, Lists of Trial Jurors, and [ **Challgene** ] **Challenge** to the Array.

\* \* \* \* \*

**Official Note:** Adopted January 24, 1968, effective August 1, 1968; Comment revised January 28, 1983, effective July 1, 1983; amended September 15, 1993, effective January 1, 1994; September 15, 1993 amendments suspended December 17, 1993 until further Order of the Court; the September 15, 1993 Order amending Rule 1104 is superseded by the September 18, 1998 Order, and Rule 1104 is amended September 18, 1998, effective July 1, 1999; amended May 14, 1999, effective July 1, 1999; renumbered Rule 630 March 1, 2000, effective April 1, 2000; amended March 28, 2000, effective July 1, 2000; **renumbered Rule 625 , 2012, effective , 2012.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Report explaining the proposed renumbering of Rule 630 to Rule 625 published for comment at 42 Pa.B. 384 (January 21, 2012).**

*(Editor’s Note:* Rules 626 and 627 are new and printed in regular type to enhance readability.)

**Rule 626. Preliminary Instructions to Prospective Jurors.**

(A) For purposes of this rule, the term “prospective jurors” means those persons who have been chosen to be part of the panel from which the trial jurors and alternate jurors will be selected. The term “selected jurors” means those members of the panel who have been selected to serve as trial jurors or alternate jurors.

(B) Persons selected for jury service, upon their arrival for this service, shall be instructed in their duties while serving as prospective jurors and selected jurors.

(C) At a minimum, the persons selected for jury service shall be instructed that until their service as prospective or selected jurors is concluded, they shall not:

(1) discuss any case in which they have been chosen as prospective jurors or selected jurors with others, including other jurors, except as instructed by the court;

(2) read or listen to any news reports about any such case;

(3) use a computer, cellular phone, or other electronic device with communication capabilities while in attendance at trial or during deliberation. These devices may be used during breaks or recesses but may never be used to obtain or disclose information prohibited in paragraph (C)(4);

(4) use a computer, cellular phone, or other electronic device with communication capabilities, or any other method, to obtain or disclose any information about any case in which they have been chosen as prospective or selected jurors. Information about the case includes, but is not limited to, the following:

(i) information about a party, witness, attorney, judge, or court officer;

(ii) news accounts of the case;

(iii) information on any topics raised or testimony offered by any witness;

(iv) information on any other topic the juror might think would be helpful in deciding the case.

(D) These instructions shall be repeated:

(1) to the prospective jurors at the beginning of *voir dire*;

(2) to the selected jurors at the commencement of the trial;

(3) to the selected jurors prior to deliberations; and

(4) to the selected jurors during trial as the trial judge deems appropriate.

#### Comment

This rule was adopted in 2011 in recognition of the fact that the proliferation of personal communications devices has provided individuals with an unprecedented level of access to information. This access has the potential for abuse by prospective jurors who might be tempted to perform research about a case for which they may be selected. Therefore, the rule requires that prospective jurors be instructed at the earliest possible stage as to their duty to rely solely on information presented in a case and to refrain from discussion about the case, either in person or electronically.

It is recommended that the juror summons also contain the language.

It also is recommended, as an additional means of ensuring adherence, that the judge explain to the prospective jurors the reason for these restrictions. This explanation should include a statement that, in order for the jury system to work as intended, absolute impartiality on the part of the jurors is necessary. Such impartiality is achieved by restricting the information upon which the jurors will base their decision to that which is presented in court.

**Official Note:** Adopted , 2012, effective , 2012.  
*Committee Explanatory Reports:*

Report explaining new Rule 626 regarding instructions to prospective jurors published for comment at 42 Pa.B. 384 (January 21, 2012).

#### Rule 627. Sanctions for Use of Prohibited Communications Devices.

Any individual who violates the provisions of Rule 112(A) prohibiting recording or broadcasting during a judicial proceeding or who violates the provisions of Rule 626 regarding the use of electronic devices by jurors or who violates any reasonable limitation imposed by a local rule or by the trial judge regarding the prohibited use of electronic devices during court proceedings:

(1) may be found in contempt of court and sanctioned in accordance with 42 Pa.C.S. § 4132 *et seq.*; and

(2) may be subject to sanctions deemed appropriate by the trial judge, including, but not limited to, the confiscation of the electronic device that is used in violation of these rules.

#### Comment

This rule was adopted in 2011 to make clear that in addition to the penalties for contempt that may be

imposed upon an individual who violates these rules or a court-imposed restriction on the use of electronic devices during court proceedings, such devices may be temporarily or permanently confiscated by the court.

**Official Note:** Adopted , 2012, effective , 2012.  
*Committee Explanatory Reports:*

Report explaining new Rule 627 regarding sanctions for use of prohibited communications devices published for comment at 42 Pa.B. 384 (January 21, 2012).

#### PART C(1). Impaneling Jury

#### Rule 631. Examination and Challenges of Trial Jurors.

(A) *Voir dire* of prospective trial jurors and prospective alternate jurors shall be conducted, and the jurors shall be selected, in the presence of a judge, unless the judge's presence is waived by the attorney for the Commonwealth, the defense attorney, and the defendant, with the judge's consent.

(B) This oath shall be administered **by the judge** individually or collectively to the prospective jurors:

"You do solemnly swear by Almighty God (or do declare and affirm) that you will answer truthfully all questions that may be put to you concerning your qualifications for service as a juror."

(C) **Upon completion of the oath, the judge shall instruct the prospective jurors upon their duties and restrictions while serving as jurors, including those provided in Rule 626(C).**

(D) *Voir dire*, including the judge's ruling on all proposed questions, shall be recorded in full unless the recording is waived. The record will be transcribed only upon written request of either party or order of the judge.

[ (D) ] (E) Prior to *voir dire*, each prospective juror shall complete the standard, confidential juror information questionnaire as provided in Rule 632. The judge may require the parties to submit in writing a list of proposed questions to be asked of the jurors regarding their qualifications. The judge may permit the defense and the prosecution to conduct the examination of prospective jurors or the judge may conduct the examination. In the latter event, the judge shall permit the defense and the prosecution to supplement the examination by such further inquiry as the judge deems proper.

[ (E) ] (F) In capital cases, the individual *voir dire* method must be used, unless the defendant waives that alternative. In non-capital cases, the trial judge shall select one of the following alternative methods of *voir dire*, which shall apply to the selection of both jurors and alternates:

(1) INDIVIDUAL *VOIR DIRE* AND CHALLENGE SYSTEM.

(a) *Voir dire* of prospective jurors shall be conducted individually and may be conducted beyond the hearing and presence of other jurors.

(b) Challenges, both peremptory and for cause, shall be exercised alternately, beginning with the attorney for the Commonwealth, until all jurors are chosen. Challenges shall be exercised immediately after the prospective juror is examined. Once accepted by all parties, a prospective juror shall not be removed by peremptory challenge. Without declaring a mistrial, a judge may allow a challenge for cause at any time before the jury begins to deliberate, provided sufficient alternates have been se-

lected, or the defendant consents to be tried by a jury of fewer than 12, pursuant to Rule 641.

(2) LIST SYSTEM OF CHALLENGES.

(a) A list of prospective jurors shall be prepared. The list shall contain a sufficient number of prospective jurors to total at least 12, plus the number of alternates to be selected, plus the total number of peremptory challenges (including alternates).

(b) Prospective jurors may be examined collectively or individually regarding their qualifications. If the jurors are examined individually, the examination may be conducted beyond the hearing and presence of other jurors.

(c) Challenges for cause shall be exercised orally as soon as the cause is determined.

(d) When a challenge for cause has been sustained, which brings the total number on the list below the number of 12 plus alternates, plus peremptory challenges (including alternates), additional prospective jurors shall be added to the list.

(e) Each prospective juror subsequently added to the list may be examined as set forth in paragraph [ (E)(2)(b) ] (F)(2)(b).

(f) When the examination has been completed and all challenges for cause have been exercised, peremptory challenges shall then be exercised by passing the list between prosecution and defense, with the prosecution first striking the name of a prospective juror, followed by the defense, and alternating thereafter until all peremptory challenges have been exhausted. If either party fails to exhaust all peremptory challenges, the jurors last listed shall be stricken. The remaining jurors and alternates shall be seated. No one shall disclose which party peremptorily struck any juror.

**Comment**

This rule applies to all cases, regardless of potential sentence. Formerly there were separate rules for capital and non-capital cases.

If Alternative [ (E)(1) ] (F)(1) is used, examination continues until all peremptory challenges are exhausted or until 12 jurors and 2 alternates are accepted. Challenges must be exercised immediately after the prospective juror is questioned. In capital cases, only Alternative [ (E)(1) ] (F)(1) may be used unless affirmatively waived by all defendants and the Commonwealth, with the approval of the trial judge.

If Alternative [ (E)(2) ] (F)(2) is used, sufficient jurors are assembled to total 12, plus the number of alternates, plus at least the permitted number of peremptory challenges (including alternates). It may be advisable to assemble additional jurors to encompass challenges for cause. Prospective jurors may be questioned individually, out of the presence of other prospective jurors, as in Alternative [ (E)(1) ] (F)(1); or prospective jurors may be questioned in the presence of each other. Jurors may be challenged only for cause, as the cause arises. If the challenges for cause reduce the number of prospective jurors below 12, plus alternates, plus peremptory challenges (including alternates), new prospective jurors are called and they are similarly examined. When the examination is completed, the list is reduced, leaving only 12 jurors to be selected, plus the number of peremptories to be exercised; and sufficient additional names to total the number of alternates, plus the peremptories to be exercised in selecting alternates. The parties then exercise the

peremptory challenges by passing the list back and forth and by striking names from the list alternately, beginning with counsel for the prosecution. Under this system, all peremptory challenges must be utilized. Alternates are selected from the remaining names in the same manner. Jurors are not advised by whom each peremptory challenge was exercised. Also, under Alternative [ (E)(2) ] (F)(2), prospective jurors will not know whether they have been chosen until the challenging process is complete and the roll is called.

This rule requires that prospective jurors be sworn before questioning under either Alternative.

The words in parentheses in the oath shall be inserted when any of the prospective jurors chooses to affirm rather than swear to the oath.

Unless the judge's presence during *voir dire* and the jury selection process is waived pursuant to paragraph (A), the judge must be present in the jury selection room during *voir dire* and the jury selection process.

Pursuant to paragraph [ (D) ] (E), which was amended in 1998, and Rule 632, prospective jurors are required to complete the standard, confidential juror information questionnaire prior to *voir dire*. This questionnaire, which facilitates and expedites *voir dire*, provides the judge and attorneys with basic background information about the jurors, and is intended to be used as an aid in the oral examination of the jurors.

The point in time prior to *voir dire* that the questionnaires are to be completed is left to the discretion of the local officials. Nothing in this rule is intended to require that the information questionnaires be mailed to jurors before they appear in court pursuant to a jury summons.

See Rule 103 for definitions of "capital case" and "*voir dire*."

**Official Note:** Adopted January 24, 1968, effective August 1, 1968; amended May 1, 1970, effective May 4, 1970; amended June 30, 1975, effective September 28, 1975. The 1975 amendment combined former Rules 1106 and 1107. Comment revised January 28, 1983, effective July 1, 1983; amended September 15, 1993, effective January 1, 1994. The September 15, 1993 amendments suspended December 17, 1993 until further Order of the Court; amended February 27, 1995, effective July 1, 1995; the September 15, 1993 Order amending Rule 1106 is superseded by the September 18, 1998 Order, and Rule 1106 is amended September 18, 1998, effective July 1, 1999; renumbered Rule 631 and amended March 1, 2000, effective April 1, 2001; amended , 2012, effective , 2012.

*Committee Explanatory Reports:*

Report explaining the September 15, 1993 amendments published at 21 Pa.B. 150 (January 12, 1991). Order suspending, until further Order of the Court, the September 15, 1993 amendments concerning juror information questionnaires published at 24 Pa.B. 333 (January 15, 1994).

Final Report explaining the February 27, 1995 amendments published with the Court's Order at 25 Pa.B. 948 (March 18, 1995).

Final Report explaining the September 18, 1998 amendments concerning juror information questionnaires published with the Court's Order at 28 Pa.B. 4887 (October 3, 1998).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).



**Report explaining the proposed amendment regarding instructions to the prospective jurors published for comment at 42 Pa.B. 384 (January 21, 2012).**

**PART C(2). Conduct of Jury Trial**

**Rule 647. Request for Instructions, Charge to the Jury, and Preliminary Instructions.**

(A) Any party may submit to the trial judge written requests for instructions to the jury. Such requests shall be submitted within a reasonable time before the closing arguments, and at the same time copies thereof shall be furnished to the other parties. Before closing arguments, the trial judge shall inform the parties on the record of the judge's rulings on all written requests and which instructions shall be submitted to the jury in writing. The trial judge shall charge the jury after the arguments are completed.

(B) No portions of the charge nor omissions from the charge may be assigned as error, unless specific objections are made thereto before the jury retires to deliberate. All such objections shall be made beyond the hearing of the jury.

(C) After the jury has retired to consider its verdict, additional or correctional instructions may be given by the trial judge in the presence of all parties, except that the defendant's absence without cause shall not preclude proceeding, as provided in Rule 602.

**(D) The trial judge shall give instructions to the jurors as provided in Rule 626 before the taking of evidence.**

(E) The trial judge may give **any other** instructions to the jury before the taking of evidence or at anytime during the trial as the judge deems necessary and appropriate for the jury's guidance in hearing the case.

**Comment**

Paragraph (A), amended in 1985, parallels the procedures in many other jurisdictions which require that the trial judge rule on the parties' written requests for instructions before closing arguments, that the rulings are on the record, and that the judge charge the jury after the closing arguments. *See, e.g.*, Fed.R.Crim.P. 30; ABA Standards on Trial by Jury, Standard 15-3.6(a); Uniform Rule of Criminal Procedure 523(b).

Pursuant to Rule 646 (Material Permitted in Possession of the Jury), the judge must determine whether to provide the members of the jury with written copies of the portion of the judge's charge on the elements of the offenses, lesser included offenses, and any defense upon which the jury has been instructed for use during deliberations.

**Paragraph (D) was added in 2011 to require trial judges to instruct jurors that they are prohibited from using computers or cell phones at trial or during deliberation, and are prohibited from using a computer or other electronic device or any other method to obtain or disclose information about the case when they are not in the courtroom. The amendment prohibits jurors from reading about or listening to news reports about the case and prohibits discussion among jurors until deliberation.**

Paragraph [ (D) ] (E), added in 1985, recognizes the value of jury instructions to juror comprehension of the trial process. It is intended that the trial judge determine on a case by case basis whether instructions before the taking of evidence or at anytime during trial are appro-

priate or necessary to assist the jury in hearing the case. The judge should determine what instructions to give based on the particular case, but at a minimum the preliminary instructions should orient the jurors to the trial procedures and to their duties and function as jurors. In addition, it is suggested that the instructions may include such points as note taking, the elements of the crime charged, presumption of innocence, burden of proof, and credibility. Furthermore, if a specific defense is raised by evidence presented during trial, the judge may want to instruct on the elements of the defense immediately after it is presented to enable the jury to properly evaluate the specific defense. *See also* Pennsylvania Suggested Standard Criminal Jury Instructions, Chapter II.

**It is also strongly recommended that the trial judge include general instructions on the appropriate procedures to be followed during deliberations.**

**Official Note:** Rule 1119 adopted January 24, 1968, effective August 1, 1968; amended April 23, 1985, effective July 1, 1985; renumbered Rule 647 and amended March 1, 2000, effective April 1, 2001; Comment revised June 30, 2005, effective August 1, 2005; amended October 16, 2009, effective February 1, 2010; **amended , 2012, effective , 2012.**

*Committee Explanatory Reports:*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the June 30, 2005 Comment revision concerning the note taking instruction published with the Court's Order at 35 Pa.B. 3919 (July 16, 2005).

Final Report explaining the October 16, 2009 changes adding to the Comment a cross-reference to Rule 646 published with the Court's Order at 39 Pa.B. [ 6331, ] 6333 (October 31, 2009).

**Report explaining the proposed amendment regarding the use of personal communications devices and computers by the jurors published for comment at 42 Pa.B. 384 (January 21, 2012).**

**REPORT**

***Proposed New Pa.Rs.Crim.P. 626, and 627  
Proposed Amendments to Pa.Rs.Crim.P. 112,  
631, and 647  
Proposed Renumbering of Pa.R.Crim.P.630***

**Personal Communications Devices in the Courtroom**

*I. Introduction*

The Committee, in conjunction with the Civil Procedural Rules Committee, is planning to recommend that the Supreme Court of Pennsylvania adopt new Rules 626 (Preliminary Instructions to Prospective Jurors) and 627 (Sanctions for Use of Prohibited Communications Devices), amend Rules 631 (Examination and Challenges of Trial Jurors), and 647 (Request for Instructions, Charge to the Jury, and Preliminary Instructions), and renumber Rule 630 (Juror Qualification Form, Lists of Trial Jurors, and Challenge to the Array) to provide for instructions to

prospective and selected jurors concerning the use of personal communications devices during their service. The proposal also amends Rule 112 (Publicity, Broadcasting, and Recording of Proceedings) to clarify that the prohibition against broadcasting from the courtroom includes the use of cellphones and other similar electronic communications devices.<sup>1</sup>

## II. Background

The increased use of personal communications devices, often with internet access, such as the iPhone and iPad, has raised new issues regarding their use in the courtroom. In July 2010, the Chief Justice wrote to the chairs of the Civil Procedural Rules Committee and the Criminal Procedural Rules Committee, noting a complaint received from a common pleas court judge of the problems arising from jurors' inappropriate use of electronic devices during their service as jurors. The Chief Justice requested both Committees consider whether any rule changes are warranted to address these problems.

Additionally, the Committees received reports of other problems arising from the use of these devices during trial. The most challenging of these arose from the proliferation in the use of the devices accessing social media, such as microblogs like Twitter, that encourage the posting of "real-time" commentary, by audience members including members of the press and even trial participants.

Finally, recent cases have raised issues of the use of these devices by audience members for purposes of witness intimidation, such as the taking of witness photographs or posting of witness information on the internet to encourage fear of retaliation.

As a result, a Joint Subcommittee of the Civil and Criminal Rules Committees was formed to examine the issues that have arisen and determine if any procedural rules changes are needed to address these issues.<sup>2</sup> The Joint Subcommittee examined two aspects of this issue: (1) use of this technology by jurors; and (2) use by others. As described in more detail below, the Subcommittee recommended certain rules changes to address both of these areas. Both Committees approved the recommendations of the Joint Subcommittee for this joint publication.

## III. Use of Personal Communications Devices by Jurors

The problems that arise with juror use of these devices are two-fold. The first danger is that a juror will use the device to conduct independent research during a trial. The second problem is the use of these devices to communicate with parties outside the courtroom, either by revealing the nature of the deliberations or other information that a juror should not divulge.

The Committees concluded that the best way to approach to this problem is through specially tailored jury instructions. Specific warnings should be provided to the prospective and selected jurors at the earliest possible stage of their interaction with the court with frequent repetitions. These warnings would prohibit conducting independent research and discussion of the case outside the deliberation room generally but also would contain specific warnings against the use of the Internet by means of cell phone or other electronic device for these prohibited activities.

<sup>1</sup> The Civil Procedural Rules Committee proposal would create new Civil Rules 220.1 and 220.2, amend and renumber current Civil Rule 220.1, and amend current Civil Rule 223.1.

<sup>2</sup> The Joint Subcommittee was comprised of representatives from both Committees and included a common pleas judge, two prosecutors, and several private practitioners.

Originally, the Subcommittee considered a simple elaboration in the juror instruction rules. However, given the ease of access to information that these devices provide, waiting until a juror is actually seated may be too late in the process. This conclusion was coupled with anecdotal reports that some jurors found to have misused these devices, when confronted, expressed surprise that a ban on outside information included "looking things up on the Internet." The Subcommittee therefore concluded that intervention, in the form of clear instructions, should be at the earliest stage possible.

The Committees agreed with this approach and are proposing rules to provide that prospective jurors be advised upon their first interaction with the courts with frequent repetition concerning the prohibited activity. This would include initial instructions when they first arrive as prospective jurors together with instructions on the juror summons itself. These instructions would be reiterated when they are selected as part of a jury "pool" and finally when they are impaneled jurors. There would also be encouragement to the trial judge to issue warnings at recesses to reinforce the restrictions.

The restriction on jurors would include a ban on the use of communications devices during court proceedings and in the deliberation room as well as specific instructions not to conduct research on the Internet.

Under this proposal, the most logical placement for new criminal rules would be in Chapter 6, Part C, Jury Procedures. In order to provide for sufficient room for the new rules, existing Rule 630 would be renumbered as Rule 625 and the new rules placed after it.

The major substantive provisions of this proposal would be included in a new criminal rule, Rule 626, that would describe the type of initial instructions to be given upon a prospective juror's first interaction with the courts and thereafter. Correlative amendments to Criminal Rule 631 would require that these warning would be repeated at the beginning of *voir dire* and amendments to Criminal Rule 647 would require the warnings to be repeated at the start of trial.<sup>3</sup>

## IV. Use of Personal Communications Devices by Others

The other aspect of this proposal is intended to address the use of personal communications devices by other participants in the trial or by members of the audience including members of the press.

As noted above, the Committees have received reports of the use of personal communications devices to broadcast messages from the courtroom during proceedings. The press has increasingly sought to use these new technologies, especially for microblogs such as "Twitter," to provide continuous, simultaneous reports while a court proceeding is in progress.

Even though this type of activity would seem to fall within the Rule 112 prohibition on broadcasting, there has been considered confusion and a divergence among several counties. For example, Westmoreland County forbids "tweeting" from the courtroom in criminal cases as a violation of Criminal Rule 112's prohibition of broadcasting during judicial proceedings while a Dauphin County trial judge permitted reporters' "tweeting" during

<sup>3</sup> As described in more detail in the companion publication report from the Civil Rules Committee, there would also be changes to the Civil Rules that require similar instructions to be provided civil jurors and are meant to mirror the proposed Criminal Rules.

a public corruption trial. Most recently, two orders from Centre and Dauphin County permitted texting and “tweeting” from the preliminary hearings arising a child sexual abuse case.

There have been cases in other jurisdictions in which judges had “tweeted” during certain proceedings that resulted in challenges being raised because of the alleged prejudice demonstrated by the “tweets.” There also are reports of parties to cases “tweeting” during the trial.

Far less benign is the use of these devices by audience members for the purpose of intimidating witnesses. Reported use of cameras on cell phones to record a witness as well as the posting of other identifying information has become a problem. While this occurs most frequently in criminal cases, there is a potential for it to occur in the civil context such as in a domestic relations case.

The Criminal Rules Committee understands, appreciates, and is supportive of the constitutional imperative of having court proceedings open to the public. However, a balance must be struck between the public’s right to observe and be informed of court proceedings and the equally important rights of the participants in the proceedings as well as the orderly administration of justice.

The original ban on broadcasting from court proceedings, presently contained in Rule 112, was established in then-Rules 27 and 328 as part of the original promulgation of the Rules of Criminal Procedure. Among the concerns that prompted the development of this restriction were the disruptive effect that broadcasting would have on the proceedings, the potential for biasing jurors, the potential to influence witness testimony, the possibility of “grandstanding” by the trial judge and/or other participants, and the threat to dignity and decorum of the process of justice in which individuals’ liberty and even life are in the balance.<sup>4</sup>

The Committee is aware that the trend in the United States has been to allow a wide scope of broadcasting of court proceedings. Observation of recent experiences from jurisdictions where broadcasting, in a variety of forms, was permitted has not diminished the concerns that led to Rule 112 and its predecessors.

The Committee examined with particularity whether the use of the new technology falls within the existing language of Rule 112. Rule 112 currently prohibits “the transmission of communications by telephone, radio, tele-

<sup>4</sup> This is consistent with Canon 3.7 of the *Pennsylvania Code of Judicial Conduct* that states:

(7) Unless otherwise provided by the Supreme Court of Pennsylvania, judges should prohibit broadcasting, televising, recording or taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recesses between sessions, except that a judge may authorize:

(a) the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record or for other purposes of judicial administration;

(b) the broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings;

(c) the photographic or electronic recording and reproduction of appropriate court proceedings under the following conditions:

(i) the means of recording will not distract participants or impair the dignity of the proceedings; and

(ii) the parties have consented; and the consent to being depicted or recorded has been obtained from each witness appearing in the recording and reproductions; and

(iii) the reproduction will not be exhibited until after the proceeding has been concluded and all direct appeals have been exhausted; and

(iv) the reproduction will be exhibited only for instructional purposes in educational institutions.

(d) the use of electronic broadcasting, televising, recording and taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recesses between sessions of any trial court nonjury civil proceeding, however, for the purposes of this subsection ‘civil proceedings’ shall not be construed to mean a support, custody or divorce proceeding. Subsection (iii) and (iv) shall not apply to nonjury civil proceedings as heretofore defined. No witness or party who expresses any prior objection to the judge shall be photographed nor shall the testimony of such witness or party be broadcast or telecast. Permission for the broadcasting, televising, recording and photographing of any civil nonjury proceeding shall have first been expressly granted by the judge, and under such conditions as the judge may prescribe in accordance with the guidelines contained in this Order.

vision, or advanced communications technology.” The term “advance communications technology”<sup>5</sup> was added to Rule 112 in 2002 in an attempt to anticipate new developments in technology and is defined in Rule 103 as:

... any communication equipment that is used as a link between parties in physically separate locations, and includes, but is not limited to: systems providing for two-way simultaneous communication of image and sound; closed-circuit television; telephone and facsimile equipment; and electronic mail.

The Committee concluded that there is no other interpretation than that the use of personal communications devices during court proceedings falls within the existing language of Rule 112. The Committee believes that any interpretation that excludes technology such as “tweeting” or other microblogging or other similar technology from Rule 112’s prohibition of broadcasting is a misinterpretation.

The Joint Subcommittee and the Criminal Rules Committee also examined the arguments that have been raised in favor of the allowing the use of this new form of technology as an exception to the general ban on broadcasting. It has been argued that this technology is qualitatively different from traditional broadcasting, being less disruptive or intrusive in effect.

The Committee rejected this argument, noting that there are other reasons for the ban on broadcasting, including fair trial and privacy concerns. Furthermore, an exception for this particular form of technology would undermine the clear delineation currently existing in Rule 112 while being difficult to police against abuse.

Therefore, the Committee is proposing that an amendment should be added to Criminal Rule 112 clarifying that “broadcasting” includes the use of personal communications devices and activities such as texting and “tweeting” would fall within its prohibition.<sup>6</sup>

As stated in the Comment, Rule 112 is not intended to prohibit the use of advanced communications technology for purposes of conducting court proceedings. The Committee did not want to restrict the use of this technology by attorneys who were trying cases in courtrooms that accommodated these technologies, for example to obtain information while examining witnesses or during the *voir dire* of jurors. This concept would be added as new paragraph (B) to Rule 112.

Finally, included in the Rule 112 Comment would be a clarification that the prohibition on broadcasting would not include the use of cameras or other devices for security purposes.

## V. Sanctions

Another area that the Committees considered was what types of sanctions would be available against those who violate this rule, both jurors and others. It was concluded that the most likely enforcement mechanism would be the contempt of court process with the associated sanctions. However, the Committees wanted to make it clear that

<sup>5</sup> It should be noted that the Criminal Rules make a distinction between “advanced communication technology” and “two-way audio-visual communication.” The first term is a much broader in scope while the latter term is used more specifically and usually in the context of a defendant’s participation in court proceedings from a remote location.

<sup>6</sup> In the companion publication report from the Civil Rules Committee, there is no equivalent to the proposed amendments to Criminal Rule 112. That is because the Civil Rules were amended in 1975 to remove the civil equivalent of Rule 112. The reason for its removal at that time was the conclusion that the prohibition was already covered in the Judicial Canon 3.7 and the Civil Rule unnecessary.







# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

#### [ 40 PA. CODE CH. 3 ]

#### Casino Exception

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (code) (47 P.S. § 2-207(i)), amends Chapter 3 (relating to license applications).

#### Summary

While there is currently not a liquor license specifically designed for casinos or racetrack entities, 4 Pa.C.S. Part II (relating to Pennsylvania Race Horse Development and Gaming Act) (Gaming Act) and the code both contemplate the sale of alcohol at locations licensed by both the Board and the Pennsylvania Gaming Control Board (Gaming). For example, section 493(24)(ii) of the code (47 P.S. § 4-493(24)(ii)) allows the holder of both a license issued by the Board and a license issued by Gaming to provide free alcohol to individuals actively engaged in playing a slot machine. Similarly, 4 Pa.C.S. § 1521(b.1) (relating to liquor licenses at licensed facilities) modifies the code's penalty provisions for entities that hold both casino and liquor licenses.

Certain businesses which are licensed by both the Board and Gaming intend to maintain their liquor license and their gaming license in different subsidiaries of a parent company for various business reasons. Currently, § 3.52(c) (relating to connection with other business) allows both businesses to be conducted by the same entity, subject to the Board's review and approval. Section 3.52(b) also allows a licensed business to have an interior connection to another business, even if the other business is conducted by an unrelated party. However, § 3.52 does not allow separate businesses to be conducted on the licensed premises by separate legal entities, even if the two separate entities are under the common ownership of a parent company. Section 3.52 is being amended to reflect this business practice among entities that hold licenses issued by both the Board and Gaming.

#### Resubmission

The Board submitted an amendment to § 3.52. The regulation was disapproved at the October 20, 2011, meeting of the Independent Regulatory Review Commission (IRRC). In disapproving the final-omitted rulemaking, IRRC found that certain terms used in § 3.52(a) were ambiguous and lacked clarity. Specifically, IRRC was concerned regarding the use of the term "person," which is defined differently in the code and 4 Pa.C.S. § 1103 (relating to definitions), and the use of the phrase "under common control," which is not defined in the code or the Board's existing regulations.

Under 1 Pa. Code § 311.2(a)(2) (relating to response by an agency to Commission disapproval), the Board revised the regulation to respond to IRRC's objections. Specifically, the Board deleted the originally submitted new language in its entirety, which included the ambiguous terms. In its place, the Board added a sentence which provides that, if a premises is, in whole or in part, licensed by Gaming, a Board licensee may allow the holder of a slot machine license to operate on its licensed premises.

#### Affected Parties

There are currently ten casinos licensed by Gaming that would benefit from this final-omitted rulemaking. The Board has informed Gaming of the final-omitted rulemaking.

#### Paperwork Requirements

This final-omitted rulemaking is not expected to affect legal, accounting or consulting procedures and should not require additional reporting, recordkeeping or other paperwork.

#### Fiscal Impact

This final-omitted rulemaking is not expected to have fiscal impact on the regulated community or State and local governments.

#### Effective Date

This final-omitted rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

#### Contact Person

Further information is available by contacting Rodrigo Diaz, Executive Deputy Chief Counsel, or Christopher L. Herrington, Deputy Chief Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124.

#### Regulatory Review

Under section 7(c) of the Regulatory Review Act (71 P.S. § 745.7(c)), on November 28, 2011, the Board submitted a copy of this revised final-omitted rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House and Senate Liquor Control Committees. On the same date, the final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506). A copy of this material is available to the public upon request.

Under section 7(d) of the Regulatory Review Act, on December 14, 2011, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 7(c.1) of the Regulatory Review Act, IRRC met on December 15, 2011, and approved the final-omitted rulemaking.

#### Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 3, are amended by amending § 3.52 to read as set forth in Annex A.

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

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

JOSEPH E. BRION,  
Chairperson

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 41 Pa.B. 7045 (December 31, 2011).)*

**Fiscal Note:** 54-67. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 40. LIQUOR

## PART I. LIQUOR CONTROL BOARD

## CHAPTER 3. LICENSE APPLICATIONS

## Subchapter F. PREMISES

## § 3.52. Connection with other business.

(a) A licensee may not permit other persons to operate another business on the licensed premises. If the premises are, in whole or in part, licensed by the Pennsylvania Gaming Control Board, a licensee may allow the holder of a slot machine license, issued by the Pennsylvania Gaming Control Board, to operate on its licensed premises.

(b) Licensed premises may not have an inside passage or communication to or with any business conducted by the licensee or other persons except as approved by the Board.

(c) A licensee may not conduct another business on the licensed premises without Board approval.

[Pa.B. Doc. No. 12-84. Filed for public inspection January 20, 2012, 9:00 a.m.]

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# NOTICES

## BOARD OF COAL MINE SAFETY

### Schedule of 2012 Meetings

The 2012 meetings of the Board of Coal Mine Safety (Board) have been scheduled. Meetings will begin at 10 a.m. and will be held at the Department of Environmental Protection's (Department) Cambria District Office, Building 310, 286 Industrial Park Road, Ebensburg, PA 15931. The 2012 meeting dates are as follows:

March 27, 2012  
June 19, 2012  
September 18, 2012  
December 11, 2012

The agenda and meeting materials for the previously listed meetings will be available through the Public

Participation Center on the Department's web site at <http://www.depweb.state.pa.us> (select "Public Participation").

Questions concerning any meeting of the Board should be directed to Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469 or [agaida@pa.gov](mailto:agaida@pa.gov).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (724) 439-7469 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 12-85. Filed for public inspection January 20, 2012, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), 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 January 3, 2012.

Under section 503.E of the Department of Banking Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-22-2011	<p><i>From:</i> Third Federal Bank Newtown Bucks County</p> <p><i>To:</i> Third Fed Bank Newtown Bucks County</p> <p>Amend the previously approved conversion from a Federal stock savings bank to State-chartered stock savings bank to reflect a change in name of the resulting institution.</p>	Approved
12-29-2011	<p><i>From:</i> The First National Bank of Palmerton Palmerton Carbon County</p> <p><i>To:</i> First Northern Bank and Trust Co. Palmerton Carbon County</p> <p>Conversion from a national banking association to a Pennsylvania State-chartered bank and trust company. First Northern Bank and Trust Co. is a wholly-owned subsidiary of Palm Bancorp (#5028534), Palmerton, an existing bank holding company.</p>	Effective

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	Branch offices operated by First Northern Bank and Trust Co.:	
	Route 940 Blakeslee Monroe County	Route 209 and Gilbert Road Gilbert Monroe County
	Route 611 Mount Bethel Northampton County	Route 611 Tannersville Monroe County
	Route 329, Nor-Bath Boulevard Northampton Northampton County	Business Route 209 Sciota Monroe County
	6663 Sullivan Trail Wind Gap Northampton County	383 South Walnut Street, Route 512 Bath Northampton County
	101 Park Avenue Stroudsburg Monroe County	2228 Old Post Road Coplay Lehigh County

### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-22-2011	S&T Bank Indiana Indiana County	Filed
	Application for approval to merge Mainline National Bank, Portage, with and into S&T Bank, Indiana.	
12-30-2011	Hershey Trust Company Hershey Dauphin County	Effective
	Merger of PWMG Trust Holdings, Inc., with and into Hershey Trust Company, Hershey.	

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-28-2011	Royal Bank America Narbeth Montgomery County	1990 New Brooklyn Road Sicklerville Camden County, NJ	Filed

#### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-23-2011	Union Bank and Trust Company Pottsville Schuylkill County	<i>To:</i> 1168 Centre Turnpike, Route 61 Orwigsburg Schuylkill County  <i>From:</i> 300 Pinebrook Place, Route 61 Orwigsburg Schuylkill County	Approved

### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-29-2011	VIST Bank Wyomissing Berks County	564 Lancaster Avenue Berwyn Chester County	Filed

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

No activity.

The Department's web site at [www.banking.state.pa.us](http://www.banking.state.pa.us) includes public notices for more recently filed applications.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-86. Filed for public inspection January 20, 2012, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Manufactured Housing Installation Program; Approved Training Curriculum for Construction Code Officials

Under 12 Pa. Code § 149.5(d) (relating to building code official training), the Department of Community and Economic Development (Department) publishes the list of approved training curriculum for those code officials who inspect the installation of manufactured homes. Persons that have successfully completed the training curriculum listed will have satisfied the requirement in 12 Pa. Code § 149.5(e).

*IRC 101—International Residential Code Building Essentials*, administered by the Pennsylvania Construction Codes Academy.

*IRC 103—How to Inspect Manufactured and Modular Housing*, administered by the Pennsylvania Construction Codes Academy.

*BCO 101—Building Code Official Course and Exam*, administered by the Pennsylvania Construction Codes Academy.

*BCO 111—The ABC's of Permitting Manufactured and Industrialized Structures*, administered by the Pennsylvania Construction Codes Academy.

*Manufactured Housing Program and Basic Installer Training*, administered by Department of Community and Economic Development, Housing Standards Division.

*Manufactured Housing Installer Update Training*, administered by Department of Community and Economic Development, Housing Standards Division.

In addition to the approved training programs listed, the Department may provide a workshop for code officials who request training. Code officials may contact the Department to request more information on scheduling a work shop.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, mconte@pa.gov.

C. ALAN WALKER,  
Secretary

[Pa.B. Doc. No. 12-87. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Manufactured Housing Installation Program; Approved Training Curriculum for Installers

Under 12 Pa. Code § 149.4(a)(4) (relating to installer training and certification), the Department of Community and Economic Development publishes the list of approved training curriculum for those persons seeking certification as installers of manufactured homes. Persons that have successfully completed the training curriculum listed will be eligible to apply for certification as an installer as

defined in section 3 of the Manufactured Housing Improvement Act (35 P. S. § 1658.3).

- *Manufactured Housing Program and Basic Installer Training*, administered by the Department of Community and Economic Development, Housing Standards Division.

Persons already certified as installers are required to complete a specified training curriculum every 3 years as provided for in 12 Pa. Code § 149.4(b)(3). The following training curriculum is approved for those installers:

- *Manufactured Housing Installer Update Training*, administered by Department of Community and Economic Development, Housing Standards Division.

- *Manufactured Housing Program and Basic Installer Training*, administered by Department of Community and Economic Development, Housing Standards Division.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, mconte@pa.gov.

C. ALAN WALKER,  
Secretary

[Pa.B. Doc. No. 12-88. Filed for public inspection January 20, 2012, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Alvin Jupp for Reinstatement of Teaching Certificates; Doc. No. RE 11-03

#### Notice of Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Alvin Jupp for reinstatement of his teaching certificates.

On or about September 19, 2011, Alvin Jupp filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on December 9, 2011, opposed his reinstatement.

In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who wish to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).



Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne Markowicz at (717) 787-

6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,  
*Executive Director*

[Pa.B. Doc. No. 12-89. Filed for public inspection January 20, 2012, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, actions and special notices

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## APPLICATIONS

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### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications 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 applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal 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 will also accept requests for public hearings on applications. A public hearing may be held 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 within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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**

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061069 (Industrial Waste)	Schott North America, Inc. 400 York Avenue Duryea, PA 18642-2036	Luzerne County Duryea Borough	Lackawanna River (5-A)	Y

Chesapeake Bay nutrient monitoring requirements for Ammonia Nitrogen, Kjeldahl Nitrogen, Nitrite-Nitrate as N, Total Nitrogen and Total Phosphorus are being added to this permit.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 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>
PA0083771 (IW)	Turkey Hill Dairy, Inc. 2601 River Road Conestoga, PA 17516-9630	Lancaster County Manor Township	UNT Wissler's Run / 7-J	Y
PA0087581 (Sew)	Centre Township Municipal Authority 449 Bucks Hill Road Mohrsville, PA 19541	Berks County Centre Township	UNT Irish Creek / 3-B	Y

**II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications**

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**PAI120504**, Concentrated Animal Feeding Operation (CAFO), **Walter T. Moore, Walmoore Holsteins, Inc.**, 1826 Howell Moore Road, West Grove, PA 19390.

Mr. Walter T. Moore has submitted an application for an Individual National Pollutant Discharge Elimination System (NPDES) permit for an existing CAFO known as Walmoore Holsteins, Inc., located at 1826 Howell Moore Road, West Grove, PA 19390 in Londonderry Township, **Chester County**.

The CAFO is situated near Middle Branch White Clay Creek and East Branch White Clay Branch in Watershed 3I, which is classified for Trout Stocking (TSF), Migratory Fishes (MF) and Exceptional Value Waters (EV), Migratory Fishes (MF), respectively. The CAFO is designed to maintain an animal population of approximately 1,446.25 animal equivalent units (AEUs) consisting of 800 adult cows and 650 heifers. Manure is collected and stored in two earthen high density polyethylene (HDPE) lined storage lagoons, two-clay lined with a picket fence solid separator dams, and one-clay lined with concrete floor storage. The total capacity of the manure storage facilities is 4,882,194 gallons of liquid manure storage in HDPE lined lagoons, 184,371 gallons of liquid manure and 149,000 ft<sup>3</sup> of solid manure storage in the clay lined with a picket fence solid separator dams, and 600 tons of solid manure in the clay lined with concrete floor storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year 24-hour storm event.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Southeast Regional Office of the Department. You may make an appointment to review the files by calling the File Review Coordinator at 484.250.5010.

Persons wishing to comment on the proposed permit are invited to submit written comments to the above address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address, and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 C.F.R. 123.24(e) does not apply to this NPDES permit.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

**PA0065331**, Industrial Waste, SIC Codes 5171 and 5541, **Fowler Oil Company**, 183 Fair Avenue, Honesdale, PA 18431. Facility Name: Fowler Oil Company—Texaco G. This proposed facility is located in Honesdale Borough, **Wayne County**.



Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated groundwater from an environmental remediation project that is expected to be completed in two to three years.

The receiving stream(s), Lackawaxen River, is located in State Water Plan watershed 1-B and is classified for High Quality Waters—Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0576 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly		Minimum	Average Monthly		Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Ethylbenzene	XXX	XXX	XXX	Report	XXX	Report
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Total BTEX	XXX	XXX	XXX	0.1	XXX	0.25
Toluene	XXX	XXX	XXX	Report	XXX	Report
Total Xylenes	XXX	XXX	XXX	Report	XXX	Report
MTBE	XXX	XXX	XXX	Report	XXX	Report

In addition, the permit contains the following major special conditions:

- Discharge Sampling, Solids Disposal, Other Wastewaters, Results Less Than Detection Levels, Malfunctioning Treatment System or Change in Conditions, Outfall Structures

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**PA0261751**, SIC Code 5541, **United Refining Co.**, PO Box 688, Warren, PA 16365. Facility Name: Kwik Fill S0038. This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated groundwater.

The receiving stream(s), Trindle Spring Run, is located in State Water Plan watershed 7-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	Report
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Fluorene	XXX	XXX	XXX	1.0	XXX	2.5
Ethylbenzene	XXX	XXX	XXX	Report	XXX	Report
Cumene	XXX	XXX	XXX	Report	XXX	Report
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Naphthalene	XXX	XXX	XXX	0.01	XXX	0.025
Phenanthrene	XXX	XXX	XXX	Report	XXX	Report
Pyrene	XXX	XXX	XXX	Report	XXX	Report
Toluene	XXX	XXX	XXX	Report	XXX	Report

You 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 in effect.

**PA0080314 A-3**, Sewage, SIC Code 4952, **Hampden Township**, 230 S Sporting Hill Road, Mechanicsburg, PA 17050-3097. Facility Name: Hampden Township Roth Lane STP. This existing facility is located in Hampden Township, **Cumberland County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Sears Run, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.82 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	603	884	XXX	15	22	40
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,206	1,809	XXX	30	45	81
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	72	XXX	XXX	1.8	XXX	4.8
Nov 1 - Apr 30	217	XXX	XXX	5.4	XXX	14
Total Phosphorus	70.7	XXX	XXX	2.0	XXX	5.4

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	101,997			
Net Total Phosphorus	Report	12,359			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus began on October 1, 2011. Since these reporting requirements are annual DMR loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

In addition, the permit contains the following major special conditions:

- Requirements Applicable to Stormwater Outfalls

You 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.

**PA0261581 A-1**, SIC Code 4941, **Red Lion Borough Municipal Authority York County**, P O Box 190, Red Lion, PA 17356. Facility Name: Red Lion Cabin Creek Water System. This existing facility is located in Windsor Township, **York County**.

Description of Existing Activity: The application is to amend the NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Cabin Creek, is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed interim and final effluent limits for Outfall 001 are based on a design flow of 0.140 MGD and 0.35 MGD, respectively.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.3	XXX	0.75
Total Suspended Solids	XXX	XXX	XXX	30.0	45.0	60.0
Total Dissolved Solids	XXX	XXX	XXX	500.0	1,000.0	1250.0
Fecal Coliform (CFU/100 ml)					Wkly Avg	
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
Total Aluminum (Interim)	Report	Report	XXX	1.44	2.01	3.60
Total Aluminum (Final)	Report	Report	XXX	0.86	1.34	2.15
Total Copper (Interim)	Report	Report	XXX	0.26	0.49	0.65
Total Copper (Final)	Report	Report	XXX	0.16	0.25	0.40
Total Iron	Report	Report	XXX	2.0	3.0	5.0
Total Manganese	Report	Report	XXX	1.0	1.5	2.5
Total Zinc (Interim)	Report	Report	XXX	0.23	0.34	0.57
Total Zinc (Final)	Report	Report	XXX	0.13	0.21	0.32

You 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 in effect.

*Northcentral Regional Office: Regional Water Management Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3664.*

**PAS204802**, Stormwater, SIC Code 3341, **Bolton Metal Products**, 2022 Axemann Road, Bellefonte, PA 16823-8142. Facility Name: Bolton Metal Products. This existing facility is located in Spring Township, **Centre County**.

Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of stormwater. This permit replaces the NPDES permit #PA0009202, since the industrial wastewater treatment system has been retired and no industrial wastewater is discharged from this location.

The receiving stream, Logan Branch, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed stormwater monitoring requirements for outfalls 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, and 017 are:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions:

- Requirements Applicable to Stormwater Outfalls
- Stormwater Best Management Practices

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

*Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.*

**PA0002666-Amendment No. 2**, Industrial Waste, NAICS Codes 324 & 325, **Sonneborn, Inc.**, 575 Corporate Drive, Mahwah, NJ 07430-9300. Facility Name: Sonneborn. This existing facility is located in Fairview Township, **Butler County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated industrial waste, treated stormwater, and untreated stormwater from a producer of surface active agents. The purpose of this amendment is to place modified temperature limitations in the permit as a result of findings from a completed 316(a) Thermal Variance Study. New special conditions were also added to Part C of the permit for eDMR and solids management requirements.

The receiving stream(s), South Branch Bear Creek, is located in State Water Plan watershed 17-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 003 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	30
Total Aluminum	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	30
Total Aluminum	XXX	XXX	XXX	Report	XXX
Total Barium	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 010 are based on a design flow of 0.42 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Daily Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen Temperature (°F)	XXX	XXX	5	XXX	XXX	XXX
Jan 1-31	XXX	XXX	XXX	78	XXX	XXX
Feb 1-29	XXX	XXX	XXX	79	XXX	XXX
Mar 1-31	XXX	XXX	XXX	85	XXX	XXX
Apr 1-15	XXX	XXX	XXX	86	XXX	XXX
Apr 16-30	XXX	XXX	XXX	102	XXX	XXX
May 1-15	XXX	XXX	XXX	93	XXX	XXX
May 16-31	XXX	XXX	XXX	110	XXX	XXX
Jun 1-15	XXX	XXX	XXX	108	XXX	XXX
Jun 16-30	XXX	XXX	XXX	110	XXX	XXX
Jul 1-31	XXX	XXX	XXX	99	XXX	XXX
Aug 1-31	XXX	XXX	XXX	95	XXX	XXX
Sep 1-15	XXX	XXX	XXX	96	XXX	XXX
Sep 16-30	XXX	XXX	XXX	87	XXX	XXX
Oct 1-15	XXX	XXX	XXX	85	XXX	XXX
Oct 16-31	XXX	XXX	XXX	81	XXX	XXX
Nov 1-15	XXX	XXX	XXX	82	XXX	XXX
Nov 16-30	XXX	XXX	XXX	78	XXX	XXX
Dec 1-31	XXX	XXX	XXX	77	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	46	91	XXX	13 Avg Mo	26	32
Nov 1 - Apr 30	91	182	XXX	26 Avg Mo	52	65
Total Suspended Solids	175	350	XXX	50 Avg Mo	150	150
Oil and Grease	52	105	XXX	15 Avg Mo	30	30

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Daily Average</i>	<i>Daily Maximum</i>	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	4.6	9.1	XXX	1.3 Avg Mo	2.6	3.25
Nov 1 - Apr 30	13.7	27.3	XXX	3.9 Avg Mo	7.8	9.75
Total Aluminum	2.3	4.6	XXX	Report Avg Mo	Report	XXX
Total Barium	11.7	23.4	XXX	3.4 Avg Mo	6.7	8.3
Total Iron	5.2	10.3	XXX	Report Avg Mo	Report	XXX
Total Manganese	4.0	8.0	XXX	1.0 Avg Mo	2.0	2.5

The proposed effluent limits for Outfall 021 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>		<i>Minimum</i>	<i>Annual Average</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 023 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 024 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>		<i>Minimum</i>	<i>Annual Average</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Annual Average		Minimum	Annual Average		Instant. Maximum
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 025 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Annual Average		Minimum	Annual Average		Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- Requirement to Use eDMR System
- Chemical Additives
- Stormwater Sampling Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

**WQM Permit No. 6011201**, CAFO Operation 0241, **Troester Dairy**, Leroy F. Troester, Jr., 175 Cannon Road, Mifflinburg, PA 17844-7714.

This proposed facility is located in Buffalo Township, **Union County**.

Description of Proposed Action/Activity: Troester Dairy, an existing dairy farm, has submitted a Water Quality Management (WQM) application for a manure storage facility (MSF) and two (2) manure transfer lines. The 28-foot diameter, 14-foot deep, circular concrete MSF will hold a total stored volume of approximately 58,000 gallons of manure. The facility is designed with a leak detection system.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. 1112401**, Sewerage, **Glendale Valley Municipal Authority**, 1800 Beaver Valley Road, Flinton, PA 16640

This proposed facility is located in White Township, **Cambria County**

Description of Proposed Action/Activity: Application for the construction and operation of a sewer system.

### IV. NPDES Applications for Stormwater Discharges from MS4

### V. Applications for NPDES Waiver Stormwater Discharges from MS4

### VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, 570-629-3060.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024511014	Pennsylvania Department of Environmental Protection Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701	Monroe	Pocono Twp.	Dry Sawmill Run, HQ-CWF, MF



*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI046012001	Noah Zimmerman 235 Point Rd Mifflinburg PA 17844	Union	Lewis Township	Trib to Coal Run HQ-CWF

*Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001, (724-378-1701)*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056310004-1	PennDot District 12-0 825 North Gallatin Avenue Extension Uniontown, PA 15401	Washington	Strabane Township	Little Chartiers Creek (HQ-WWF)

**VII. List of NOIs for NPDES and/or Other General Permit Types**

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**CAFO Notices of Intent Received**

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

**PAG124819**, CAFO (SIC 0212 and 0213), **Willard Hackman**, 1035 Deans Hill Road, Wellsboro, PA 16901. This proposed facility is located in Delmar Township, **Tioga County**.

Description of Size and Scope of Proposed Operation/Activity: 4400 finishing swine/ 30 beef cow and calf, 595 AEUs.

The receiving stream, Wilson Creek is in Watershed 9A (Pine Creek) and is classified for CWF.

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 non-discharge 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 the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to 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 should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. 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 a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.



**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Harold Weaver 2693 N Colebrook Rd Manheim, PA 17545	Lancaster	60.7	131.57	Ducks	NA	Renewal
Steven R. Hershey 2024 Donegal Springs Rd Mount Joy, PA 17552	Lancaster	200.5	465.97	Layers/Steer	HQ	Renewal
Kenneth Loht 20 Road Apple Drive McClure, PA 17841	Mifflin	89.7	534.1	Swine	NA	Renewal
Creek Bottom Farms Mike Snook 1510 White Church Road Middleburg, PA 17842	Snyder	320 Acres 176.4 owned for manure 123.3 rented for manure	558.82	Swine, Dairy Heifers and Calves	N/A	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements 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 an application. A comment 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 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**

**Applications Received Under the Pennsylvania Safe Drinking Water Act**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Application No. 5911501—Construction Public Water Supply.**

Applicant	<b>Pleasant Village Mobile Home Park</b>
[Township or Borough]	Covington Township
County	<b>Tioga</b>
Responsible Official	Mike Gieser Pleasant Village Mobile Home Park 3215 Stein Lane Lewisburg, PA 17837
Type of Facility	Public Water Supply
Consulting Engineer	Benjamin L. Gilberti, P.E. HRG, Inc. 474 Windmere Drive, Suite 100 State College, PA 16801
Application Received	January 4, 2012
Description of Action	Install water treatment equipment consisting of storage tanks, water softeners, cartridge filters and membrane filters.

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Permit No. 3211507, Public Water Supply.**

Applicant	<b>Green Township Municipal Authority</b> 77 Musser Street Commodore, PA 15729
[Township or Borough]	Green Township
Responsible Official	David Putt, Vice Chairman Green Township Municipal Authority 77 Musser Street Commodore, PA 15729
Type of Facility	Commodore water system

Consulting Engineer	Keller Engineers, Inc. 420 Allegheny Street Hollidaysburg, PA 16648
Application Received Date	December 21, 2011
Description of Action	Construction of new water supply wells, water treatment facilities, new water storage tank and the demolition of the water supply reservoir.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

#### Application No. 5611524GWR, Minor Amendment.

Applicant	<b>Indian Lake Borough,</b> 1301 Causeway Drive, Central City, PA 15926
[Township or Borough]	Indian Lake Borough
Responsible Official	Dean Snyder, Operator Indian Lake Borough, 1301 Causeway Drive, Central City, PA 15926
Type of Facility	Water system
Consulting Engineer	CME Engineering, LP, 165 East Union Street, Suite 100, Somerset, PA 15501
Application Received Date	December 9, 2011
Description of Action	Groundwater Rule Approval.

#### Application No. 0310504MA—Revised, Minor Amendment.

Applicant	<b>Kittanning Suburban Joint Water Authority</b> 710 Tarrtown Road Kittanning, PA 16210
[Township or Borough]	East Franklin, North Buffalo, Sugarcreek and Washington Townships
Responsible Official	Donald B. Norton, Chairman Kittanning Suburban Joint Water Authority 710 Tarrtown Road Kittanning, PA 16210
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road PO Box 200 Indianola, PA 15051
Application Received Date	December 19, 2011
Description of Action	Construction of approximately 70,000 L.F. of 8-inch and 12-inch waterline and replacing the Steele water storage tank.

## 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—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of 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. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall 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 cleanup standards or 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 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 following site, 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 as follows. 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 listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. 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:

*Northeast Region: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Khoury Property**, 1003 Broadway, Fountain Hill Borough, **Lehigh County**. Christopher Jacangelo, J. Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044 has submitted a Notice of Intent to Remediate (on behalf of his client, Dr. Rami A. Khoury, DMD, 1003 Broadway, Bethlehem, PA 18015), concerning the remediation of soil found to have been impacted by No. 2 heating oil as a result of a release from a pitted/corrosive steel underground storage tank, which was observed during the tank's removal process. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The current use and future use of the property are commercial (dental office). A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Former Corning Frequency Control Plant 2**, 100 Watts Street, Mount Holly Springs, PA 17065, Borough of Mount Holly Springs, **Cumberland County**. Weston Solutions, Inc., 140 Weston Way, West Chester, PA 19380, on behalf of Corning Incorporated, HP-ME-03-83, Corning, NY 14831 and Vectron International, Inc., 100 Watts Street, Mount Holly Springs, PA 17065, submitted a Notice of Intent to Remediate site soils contaminated with VOCs and chlorinated solvents. The site will be remediated to the Site-Specific standard. Future use of the site remains the same.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Tennessee Gas Pipeline, Compressor Stations #313**, Hebron Township, **Potter County**. SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Tennessee Gas Pipeline, 1211 Greenville Mercer Road, Mercer, PA 16137 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with Ethylene Glycol. The applicant proposes to remediate the site to meet the Statewide Health Standard.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**NW Medical Partners**, Girard Borough, **Erie County**. Mountain Research, LLC., 825 25th Street, Altoona, PA 16601 on behalf of NW Medical Partners, 200 Union Avenue, Altoona, PA 16602 has submitted a Notice of Intent to Remediate. Historic on-site operations indicate the soil has been contaminated with Tetrachloroethene, Dichlorodifluoromethane, 2-Butanone, and Dibromochloromethane. The Notice of Intent to Remediate was published in the *Erie-Times News* on December 9, 2011. The proposed cleanup standards for the property are Statewide Health and Site-Specific.

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

**Application 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, 2 East Main Street, Norristown, PA 19401*

**Permit Application No. 301350. Eldredge, Inc.**, 898 Fernhill Road, West Chester, PA 19380-4202. This minor permit application seeks the approval to modify some of the existing permit conditions at the Residual Waste Oil Processing Facility located in West Goshen Township **Chester County**. The application was received by the Southeast Regional Office on December 20, 2011.

## **AIR QUALITY**

### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS**

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

The Department received applications for Plan Approvals 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 listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior 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 listed before the application. 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 (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.



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**PLAN APPROVALS**


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**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.**

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Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Sachin Shankar, New Source Review Chief - Telephone: 484-250-5920

**15-0027K: Johnson Matthey, Inc.—Catalytic Systems Division** (456 Devon Park Drive, Wayne, PA 19087) to establish a plant-wide applicability limit (PAL) for nitrogen oxide (NO<sub>x</sub>) emissions from their facility in Atglen Township, **Chester County**. As a result of potential emissions of NO<sub>x</sub> and VOC, the facility is a Title V facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements

**09-0142B: ML 35, LLC** (35 Runway Road, Levittown, PA 19057) for installation of five (5) 2 MW electric generators with the associated storage tanks and air pollution control devices; conversion of 6 existing emergency generators to peak shaving generators; and a Federally Enforceable Emissions Cap, a limit of 24.9 tons/year for the facility NO<sub>x</sub> emissions at the ML 35 LLC data center facility located at 35 Runway Road, Levittown, Bristol Township, **Bucks County**. The control devices would include Selective Catalytic Reduction (SCR) system and oxidation catalysts.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

**20-123E: Lord Corp.** (124 Grant Street, Cambridge Springs, PA 16403-1014) for installation of tanks for stainless steel parts passivation (cleaning and acid etching) at their facility in Cambridge Springs, **Crawford County**.

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**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

**18-00005D: Dominion Transmission, Inc.** (445 West Main St., Clarksburg, WV 26301) has submitted an application (No. 18-00005D) to the Pennsylvania Department of Environmental Protection for plan approval to construct and operate a 16,000 brake-horsepower (bhp) natural gas-fired turbine/compressor engine, a 690 bhp natural gas-fired emergency generator, a 4.2 million Btu per hour boiler and a 2.5 million Btu per hour boiler at their Finnefrock Compressor Station located in Leidy Township, **Clinton County**. The respective facility is a major facility for which a Title V operating permit 18-00005 has been issued.

The Department's review of the information submitted by Dominion Transmission, Inc. indicates that the engines and boilers will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The turbine/compressor engine will meet the requirements of Subpart KKKK of the New Source Performance Standards for Stationary Combustion Turbine Engines, 40 CFR Sections 60.4300 through 60.4420. The emergency generator engine will meet the requirements of Subpart ZZZZ of the National Emission Standards for Hazardous Air Pollutants for Source Categories, 40 CFR Sections 63.6580—63.6675 and Subpart JJJJ of the New Source Performance Standards for Stationary Spark ignition Internal Combustion Engines, 40 CFR Sections 60.4230 through 60.4248. The Based on these findings, the Department intends to approve the application and issue plan approval for the construction of a natural gas-fired salt bath heater and a natural gas-fired boiler. Additionally, if the Department determines that all equipment constructed are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into Title V operating permit #18-00005 via an administrative amendment pursuant to 25 Pa. Code § 127.450.

The following is a summary of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 (BAT), Source ID P110 is a 16,000 bhp Solar Mars model 100 natural gas-fired turbine engine. Source ID P110 shall incorporate SoLoNO<sub>x</sub> technology and be equipped with a Universal oxidation catalyst (ID C110) to control the air contaminant emissions. The permittee shall not operate Source ID P110 without the simultaneous operation of ID C110 at any time.

2. Pursuant to BAT, the permittee shall only use pipeline-quality, natural gas as fuel for Source IDs 042, P110 and P202.

3. Pursuant to BAT, the permittee shall not permit the following air contaminant emissions from the exhaust of ID C110 associated with Source ID P110 in excess of the limitations listed below while operating in SoLoNO<sub>x</sub> mode:

a. nitrogen oxides (NO<sub>x</sub>, expressed as NO<sub>2</sub>)—15 ppm corrected to 15% oxygen, 7.32 pounds per hour and 31.81 tons in any 12 consecutive month period,

b. carbon monoxide (CO)—2 ppm corrected to 15% oxygen, 0.56 pounds per hour and 2.43 tons in any 12 consecutive month period,

c. total combined volatile organic compounds (VOC)—10 ppm corrected to 15% oxygen, 1.70 pounds per hour and 7.39 tons in any 12 consecutive month period,

d. sulfur oxides (SO<sub>x</sub>, expressed as SO<sub>2</sub>)—0.002 pounds per hour and 0.01 tons in any 12 consecutive month period,

e. particulate matter (PM/PM<sub>10</sub>)—0.01 grains per dry standard cubic foot of exhaust gas, 0.007 pounds per hour and 0.03 tons in any 12 consecutive month period,

f. non-methane, non-ethane hydrocarbons (NMNEHC)—2 ppm corrected to 15% oxygen, 0.33 pounds per hour and 1.45 tons in any 12 consecutive month period,



g. formaldehyde—0.021 pounds per hour and 0.09 tons in any 12 consecutive month period.

4. Pursuant to BAT, the permittee shall not permit the following air contaminant emissions from the exhaust of ID C110 associated with Source ID P110 in excess of the limitations listed below while operating in non-SoLoNOx mode:

a. nitrogen oxides (NO<sub>x</sub>, expressed as NO<sub>2</sub>)—42 ppm corrected to 15% oxygen, 20.50 pounds per hour and 0.72 tons in any 12 consecutive month period,

b. carbon monoxide (CO)—8 ppm corrected to 15% oxygen, 2.24 pounds per hour and 0.08 tons in any 12 consecutive month period,

c. volatile organic compounds (VOC)—20 ppm corrected to 15% oxygen, 14.78 pounds per hour and 0.52 tons in any 12 consecutive month period.

5. Pursuant to BAT, the permittee shall not permit the following air contaminant emissions from the exhaust of ID C110 associated with Source ID P110 in excess of the limitations listed below:

a. Total combined nitrogen oxides (NO<sub>x</sub>, expressed as NO<sub>2</sub>) shall not exceed 32.53 tons in any 12 consecutive month period,

b. Total combined carbon monoxide (CO) shall not exceed 2.51 tons in any 12 consecutive month period,

c. Total combined volatile organic compounds (VOC) shall not exceed 8.00 tons in any 12 consecutive month period.

6. Pursuant to BAT, the permittee may not permit the emission of visible air contaminants into the outdoor atmosphere in such a manner that the opacity of the emission is equal to or greater than 10% at any time.

7. Pursuant to BAT, the permittee shall equip ID C110 and C202 with instrumentation to monitor pressure drop and the inlet gas temperature of IDs C110 and C202. The permittee shall monitor these parameters on a continuous basis.

8. Pursuant to BAT, the permittee shall not operate Source ID P110 in non-SoLoNOx mode more than 70 hours in any 12 consecutive month period, except that operation of non-SoLoNOx mode for the purpose of performing stack tests is excluded. Operation “for the purpose of performing stack tests” shall be interpreted as operation occurring during the actual stack tests as well as a reasonable (as determined by the Department) amount of operation prior to the commencement of testing for the purpose of stabilizing the turbine in a non-SoLoNOx operating mode.

9. Pursuant to BAT, Source ID P110 shall be equipped with instrumentation to continuously monitor manufacturer’s recommended operational parameters which will indicate whether Source ID P110 is operating in a SoLoNOx mode.

10. Pursuant to BAT, the permittee shall operate Source ID P110 in SoLoNOx mode at all times, except for periods in which sub-zero ambient temperatures occur and for periods during start-ups and shutdowns for the operation of the engine in non-SoLoNOx mode.

11. Pursuant to BAT, the permittee shall perform inspections of Source P110, the associated compressor and associated piping, etc., at least once per month to determine the presence of fugitive volatile organic compound/volatile hazardous air pollutant emissions.

12. The permittee shall perform nitrogen oxide (NO<sub>x</sub>, expressed as NO<sub>2</sub>), carbon monoxide, volatile organic compound and formaldehyde stack tests upon Source ID P110 within 120 days from the initial operation to verify compliance with the emission limitations for carbon monoxide, volatile organic compound and formaldehyde emissions from ID C110 associated with Source ID P110.

a. The performance test shall consist of three (3) separate test runs and each run shall last at least in one (1) hour in duration.

b. The testing of the inlet and outlet of ID C110 shall be running simultaneously.

c. The inlet gas temperature and the pressure drop across ID C110 shall be recorded on a continuous basis during the test. The requirement for the temperature range and pressure drop across ID C110 will be established based upon the recorded data and stack test report.

d. All testing is to be done using reference method test procedures acceptable to the Department and all testing is to be performed while Source ID P110 is operating in both SoLoNOx and non-SoLoNOx modes at peak loads.

13. The permittee shall perform subsequent stack tests on Source ID P110 to determine the nitrogen oxide and carbon monoxide emission rates while operating at peak load on an approximate annual basis, but in each case, no less than 10 months and no more than 14 months following the previous test. Additionally, subsequent volatile organic compound and formaldehyde stack tests shall be performed on Source ID P110 while operating at peak load on a triennial basis, but in each case, no less than 32 months and no more than 36 months following the previous test.

14. Pursuant to BAT, the permittee shall follow the manufacturer’s recommended procedures of start-up and shut-down of Source ID P110.

15. Source ID P110 is subject to Subpart KKKK of the Federal Standards of Performance for New Stationary Source, 40 CFR Sections 60.4300 through 60.4420. The permittee shall comply with all applicable requirements specified in 40 CFR Sections 60.4300 through 60.4420.

16. The permittee shall keep records of the following information:

a. The supporting calculations on a monthly basis used to verify compliance with the nitrogen oxide, carbon monoxide, volatile organic compound, particulate matter, sulfur oxide, and formaldehyde emission limitations for ID C110 associated with Source ID P110 in any 12 consecutive month period in both SoLoNOx and non-SoLoNOx operating modes.

b. The test reports and supporting calculations used to verify compliance with the nitrogen oxide, carbon monoxide, volatile organic compound, and formaldehyde emission limitations from ID C110 associated with Source ID P110.

c. The pressure drop across and the inlet gas temperature of ID C110 on a continuous basis via a data acquisition system and shall compute the hourly averages.

d. The amount of fuel fired in Source ID P110.

e. The number of hours that Source ID P110 operated in both SoLoNOx and non-SoLoNOx modes on a monthly basis to verify compliance with the operational hour limitation while operating in non-SoLoNOx mode in any 12 consecutive month period.

f. the date and time of all inspections, the identification of the inspector, what was inspected, the location of any observed fugitive volatile organic compound/volatile hazardous air pollutant emissions, identification of any corrective action taken to eliminate the observed fugitive emissions and the success, or failure, of the corrective action to eliminate the fugitive emissions.

These records shall be kept for a minimum of five (5) years and shall be made available to the Department upon request.

17. The permittee shall submit semi-annual reports to the Department which includes the following information:

a. The supporting calculations on a monthly basis used to verify compliance with the nitrogen oxide, carbon monoxide, volatile organic compound, particulate matter, sulfur oxide, and formaldehyde emission limitations for ID C110 associated with Source ID P110 in any 12 consecutive month period in both SoLoNOx and non-SoLoNOx operating modes.

b. The number of hours that Source ID P110 operated in both SoLoNOx and non-SoLoNOx modes on a monthly basis to verify compliance with the operational hour limitation while operating in non-SoLoNOx mode in any 12 consecutive month period.

The semi-annual report shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (For July 1 of the previous year through June 30 of the concurrent year).

18. Pursuant to BAT, the permittee shall not permit the following air contaminant emissions from the exhaust of ID C202 associated with Source ID P202 in excess of the limitations listed below:

a. nitrogen oxides (NOx, expressed as NO<sub>2</sub>)—1.32 pounds per hour and 0.07 tons in any 12 consecutive month period,

b. carbon monoxide (CO)—0.23 pounds per hour and 0.01 tons in any 12 consecutive month period,

c. total combined volatile organic compounds (VOC)—0.03 pounds per hour and 0.002 tons in any 12 consecutive month period,

d. sulfur oxides (SOx, expressed as SO<sub>2</sub>)—0.001 pounds per hour and 0.0003 tons in any 12 consecutive month period,

e. particulate matter (PM/PM<sub>10</sub>)—0.01 grains per dry standard cubic foot of exhaust gas, 0.02 pounds per hour and 0.01 tons in any 12 consecutive month period.

19. Pursuant to BAT, Source ID P202 shall not be operated more than 100 hours in any 12 consecutive month period.

20. Pursuant to BAT, Source ID P202 shall be equipped with a non-resettable hour meter to monitor the number of hours that the engine is operated.

21. Pursuant to BAT, Source ID P202 is a 690 brake-horsepower, Caterpillar model G3412 TA, 4-stroke, rich burn (4SRB) natural gas-fired emergency generator set and shall be equipped with a Assure™ TWC three-way catalytic converter (Control Device ID C202) to control the NOx, CO and VOC emissions.

22. Pursuant to BAT, the permittee shall equip ID C202 with instrumentation to monitor pressure drop and the inlet gas temperature of ID C202. The permittee shall monitor these parameters on a continuous basis.

23. The permittee shall comply with all applicable requirements of Subpart JJJJ of the New Source Performance Standards (NSPS) for Source ID P202 as specified in 40 CFR Sections 60.4230—60.4248.

24. The permittee shall perform nitrogen oxide (NOx, expressed as NO<sub>2</sub>), carbon monoxide, and volatile organic compound stack tests upon Source ID P202 within 120 days from the initial operation of each engine to verify compliance with the emission limitations for carbon monoxide and volatile organic compound emissions from ID C202 associated with Source ID P202.

a. The performance test shall consist of three (3) separate test runs and each run shall last at least in one (1) hour in duration.

b. The testing of the inlet and outlet of ID C202 shall be running simultaneously.

c. The inlet gas temperature and the pressure drop across ID C202 shall be recorded on a continuous basis during the test. The requirement for the temperature range and pressure drop across ID C202 will be established based upon the recorded data and stack test report.

d. All testing is to be done using reference method test procedures acceptable to the Department and all testing is to be performed while Source ID P202 is operating at +/- 10% of full load.

25. The permittee shall keep records of the following information:

a. The supporting calculations on a monthly basis used to verify compliance with the nitrogen oxide, carbon monoxide and volatile organic compound emission limitations for ID C202 associated with Source ID P202 in any 12 consecutive month period.

b. The test reports and supporting calculations used to verify compliance with the nitrogen oxide, carbon monoxide and volatile organic compound emission limitations from ID C202 associated with Source ID P202.

c. The pressure drop across and the inlet gas temperature of ID C202 on a continuous basis via a data acquisition system and shall compute the hourly averages.

These records shall be kept for a minimum of five (5) years and shall be made available to the Department upon request.

26. Pursuant to BAT, each combustion unit incorporated in Source ID 042 shall not emit air contaminants in excess of the following limitations:

<i>Air Contaminant</i>	<i>Emission Rates (parts per million, dry volume)</i>
NOx	25 at 3% oxygen
CO	50 at 3% oxygen
VOCs	13 at 3% oxygen

27. Pursuant to BAT, the particulate matter and sulfur oxide (SOx, expressed as SO<sub>2</sub>) emissions from each combustion unit incorporated in Source ID 042 shall not exceed 0.001 and 0.005 pounds per million Btu of heat input, respectively.

28. The permittee shall keep records of the carbon monoxide, nitrogen oxide and volatile organic compound emissions from each combustion unit incorporated in Source IDs 042 to verify compliance with the respective emission limitation.

29. Pursuant to BAT, Air contaminant emissions from each combustion unit incorporated in Source ID 042 shall be controlled with low NOx burners and flue gas recirculation.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

*Department of Public Health, Air Management Services:  
321 University Avenue, Philadelphia, PA 19104*

*Contact: Edward Wiener, Chief—Telephone: 215-685-9426*

**AMS 11339: Pier One Hays Terminal** (2604 Penrose Ferry Rd., Philadelphia, PA 19145) to install a coal transshipment operation in the City of Philadelphia, **Philadelphia County**. Coal material is delivered via trucks is unloaded and stockpiled at the facility in a pile in 10,000 ton capacity limit and then front end loaded onto barge via a conveyor for shipment to the end user. In addition the conveyor is installed with a 19 Kw diesel engine that is used to load the coal onto the barge. The potential particulate fugitive emissions from the coal transshipment operation are less than 1.1 tons per rolling 12-month period. The potential particulate emissions from paved roads is less than 1.75 tons per rolling 12-month period. The maximum number of heavy duty diesel vehicle (HDDV) per hour delivering coal shall be less than 12 HDDV/hr based on a daily average during hours of operation. The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

#### OPERATING PERMITS

##### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00090: Tube Methods, Inc.** (416 Depot Street, Bridgeport, PA 19426/19405) for renewal of the original Title V Operating Permit in Bridgeport Borough, **Montgomery County** which was issued on March 30, 2007, and amended on April 03, 2008. This proposed renewal of the Title V Operating permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

##### **Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**67-05118: Harley-Davidson Motor Company Operations, Inc.** (1425 Eden Road, York, PA 17402) for their motorcycle manufacturing facility in Springettsbury Township, **York County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above-mentioned facility.

Potential emissions from the updated facility have been substantially reduced and will be capped at major source levels for all criteria pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit by the permit number listed above.
- A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Daniel C. Husted, Chief, New Source Review Section, may be contacted at 717-705-4863, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**06-05108: Bally Ribbon Mills** (23 North 7th Street, Bally, PA 19503) for operation of a ribbon manufacturing facility in the Bally Borough, **Berks County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility's actual emissions of NOx, SOx and VOCs were recently estimated to be around 1.51, 0.01 and 3.45 tons per year, respectively. The facility's potential to emit, after operating permit restrictions, are estimated at 6 tons per year-particulate matter (PM), 59.9 tons per year-SOx, 6.6 tons per year-CO, 74.5 tons per year-NOx, 11.9 tons per year-VOCs, and less than 10 tons per year-hazardous air pollutants (HAPs).

The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the



facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from the Boiler Area Source MACT Subpart JJJJJ and NSPS Subpart Dc, "Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units."

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit by the permit number listed above.
- A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Mr. Thomas Hanlon, Chief, Facilities Permitting Section may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**32-00196: United School District** (10780 Route 56 Highway East, Armagh, PA 15920-9038) for an operating permit renewal for the United Elementary, Junior & Senior High Schools in East Wheatfield Township, **Indiana County**. The permit is for the operation of two 12.9 mmbtu/hr #2 fuel oil-fired boilers, a 0.67 mmbtu/hr #2 fuel oil-fired boiler, an emergency generator, and several small miscellaneous combustion sources. Potential emissions from the sources at this facility are based on operating 8,760 hours per year and burning No. 2 fuel oil in the boilers and are estimated to be 16.4 tons NO<sub>x</sub>, 0.3 tons VOCs, 3.7 tons CO, 1.7 tons particulate matter and 52.3 tons SO<sub>2</sub>. Actual emissions from the facility are much lower considering the boilers only run during the heating season. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

**32-00365: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) for coal mining services and support activities at the Dutch Run Mine Coal Preparation Plant in Washington Township, **Indiana County**. This is a State Only Operating Permit Renewal Application submittal.

**11-00345: Allegheny Manufacturing & Electrical Service, Inc.** (107 Station Street, Johnstown, PA 15905) for manufacturing motors and generators at their Ferndale Plant in Ferndale Borough, **Cambria County**. This is a State Only Operating Permit Renewal Application submittal.

**26-00475: Amerikohl Aggregates, Inc.—Jim Mountain Quarry** (State Route 653 Mill Run, PA 15464) for operation of a limestone processing plant Springfield Township, **Fayette County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above mentioned facility.

The subject facility consists of load/unloading and processing of limestone equipped with three crushers, three screens, one sand classifier, and various conveyors and stockpiles. The maximum capacity of the facility is 700 tons per hour. The facility has the potential to emit: 78.36 tpy PM; and 53.77 tpy PM<sub>10</sub>. The facility is required to conduct surveys of the site for fugitive emissions and malodors and must take all actions to prevent particulate matter from becoming airborne. The proposed authorization is subject to State and Federal Regulations (OOO). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Sheila Shaffer Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Operating Permit (26-00475).

Concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131*

**24-00136: National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) Sackett Station located in Highland Township (R.D. 2, Box 83A), **Elk County**. The Department intends to re-issue a Natural Minor Operating Permit to operate this natural gas compressor station.

**24-00160: North Star Aggregates, Inc.**, (PO Box R, Ridgway, PA 15853), to issue a new State Only Operating Permit for their Oyster Run Mine in Horton Township, **Elk County**. The facility is a Natural Minor. The primary sources at the facility are sandstone processing plants, sandstone stockpiles, and associated diesel engines to power the processing plants. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.



## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application 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 address of the district mining office indicated before each application 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.

Written comments or objections regarding a mining permit application 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.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the 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.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**56841328 and NPDES No. PA 0033677. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Mine 78 in Adams Township, **Cambria County** and related NPDES permit for the St. Michael Treatment Plant surface facility. NPDES Discharge Point 005 will be added to discharge the treated mine water. Surface Acres Proposed 4.8. Receiving stream: Unnamed Tributary to South Fork Little Conemaugh River, classified for the following use:

CWF. The application was considered administratively complete on December 29, 2011. Application received September 2, 2011.

**30001301. Dana Mining Company of Pennsylvania, LLC** (308 Dents Run Road, Morgantown, WV 26501), to renew the permit for the Crawdad Portal B Mine in Dunkard and Perry Townships, **Greene County**. The application was considered administratively complete on December 29, 2011. Application received June 30, 2011.

**30940701 and NPDES No. PA 0215365. Coresco, LLC**, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit and related NPDES permit for the Refuse Dump No. 4 in Monongahela Township, **Greene County** to Coresco, LLC from Cobra Mining, LLC. No additional discharges. The application was considered administratively complete on January 3, 2012. Application received May 1, 2011.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**16050113. Timothy A. Keck** (93 Carrier Street, Summerville, PA 15864) Renewal of an existing bituminous surface mine in Monroe Township, **Clarion County** affecting 19.0 acres. Receiving streams: Unnamed tributary to Sloan Run and unnamed tributary to Reids Run, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: January 4, 2012.

**10110107 and NPDES Permit No. PA0259225. K & A Mining** (P. O. Box 288, Grove City, PA 16127) Commencement, operation and restoration of a bituminous surface mine in Fairview Township, **Butler County** affecting 23.5 acres. Receiving streams: One unnamed tributary to South Branch Bear Creek, classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is Miller Water Company. Application received: December 30, 2011.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17010109 and NPDES No. PA0243116. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661). Renewal of an existing bituminous surface mine located in Bigler Township, **Clearfield County** affecting 168.3 acres and a revision to reduce the permit area from 168.3 acres to 5.5 acres to cover only the area required for the passive treatment system since all other area within the permit has been reclaimed and had Stage III bond release approved. Operation of the passive treatment system is fully funded by a mine drainage treatment trust. The renewal includes a revision to change the effluent limits for the passive treatment system from a loading based limit for manganese to the conventional concentration based effluent limit.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**40663033R5 and NPDES Permit No. PA0225231. Jeddo-Highland Coal Company**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), new NPDES Permit for discharge of treated mine drainage from an anthracite surface mine, coal refuse reprocess and refuse disposal operation in Foster and Butler Townships, **Luzerne County**, receiving streams: Nescopeck Creek, classified for the following uses: HQ—cold water & migratory fishes; Little Nescopeck Creek, classified for the following uses: cold water and migratory fishes and Pond Creek,

classified for the following use: HQ—cold water fishes. Application received: December 30, 2011.

**49080105C2 and NPDES Permit No. PA0224723. Keystone Anthracite Co., Inc.**, (259 N. Second Street, Girardville, PA 17935), correction to an existing anthracite surface mine operation to include a prep plant, refuse disposal and to increase the permitted acre to 960.3 from 938.4 in Zerbe and West Cameron Townships, **Northumberland County**, receiving streams: Zerbe Run, classified for the following use: cold water fishes and Mahanoy Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: January 3, 2012.

**49-305-002GP12. Hot Coal Corp.**, (804 West Penn Pike, Tamaqua, PA 18252), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Keystone Anthracite Co., Inc., Surface Mining Permit No. 49080105 in Zerbe Township, **Northumberland County**. Application received: January 3, 2012.

**54020101R2 and NPDES Permit No. PA0224219. Summit Anthracite, Inc.**, (196 Vista Road, Klingers-town, PA 17941), renewal of an existing anthracite surface mine operation and NPDES Permit for discharge of treated mine drainage in Porter Township, **Schuylkill County** affecting 300.0 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: January 4, 2012.

*Coal Applications Returned*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**16100102 and NPDES Permit No. PA0258849. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface mine in Redbank Township, **Clarion County** affecting 62.3 acres. Receiving streams: Unnamed tributaries to Pine Creek. Application received: March 31, 2010. Application Withdrawn: January 5, 2012.

*Noncoal Applications Received*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**10030302. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Renewal of NPDES Permit No. PA0242462 in Brady Township, **Butler County**. Receiving streams: Unnamed tributaries to Big Run and Big Run, classified for the following uses: CWF.

There are no potable surface water supply intakes with 10 miles downstream. Application received: January 4, 2012.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**48080301T and NPDES Permit No. PA0225223. Grand Central Sanitary Landfill, Inc.**, (910 West Pennsylvania Avenue, Pen Argyl, PA 18072), new NPDES Permit for discharge of treated mine drainage from a quarry operation in Pen Argyl Borough, **Northampton County**, receiving stream: Waltz Creek, classified for the following uses: cold water and migratory fishes. Application received: July 27, 2011.

**64082802. Wayco, Inc.**, (198 O’Connell Road, Waymart, PA 18472), Stage I & II bond release of a quarry operation in South Canaan Township, **Wayne County** affecting 5.0 acres on property owned by Michael Green. Application received: December 22, 2011.

**58010851. R & M Stone**, (718 Newhart Road, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Rush Township, **Susquehanna County** affecting 3.0 acres on property owned by Raymond Newhart and Maurice Newhart, Jr. Application received: December 28, 2011.

**MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipita-

tion event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year

24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

*Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period

will be considered in the final determinations regarding the NPDES permit applications. Comments must 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 will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**NPDES No. PA0215635 (Mining Permit No. 10743701), ArcelorMittal Pristine Resources, Inc.,** (PO Box 36, 129 Bethlehem Road, Revloc, PA 15948, A renewal to the NPDES and mining activity permit for the Fawn Mine No. 91 Coal Refuse Disposal Area in Clinton Township, **Butler County**. Surface Acres Affected 10.0. Receiving stream: Lardintown Run, classified for the following use: TSF. The application was considered administratively complete on December 9, 2010. Application received September 9, 2010.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The proposed average daily discharge rate for Outfall 003 is .0204 MGD

Outfall 003 discharges to: Lardintown Run

The proposed effluent limits for Outfall 003 Lat: 40° 41' 39" Long: 79° 48' 37" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Dissolved Solids (mg/l)			0.5	

<sup>1</sup> The parameter is applicable at all times.



*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**NPDES No. PA0252069 (Mining permit no. 63110101), PA Coal Reclamation, Inc.**, P. O. Box 136, Cuddy, PA 15031, new NPDES permit for a bituminous surface mine in Deemston Borough, **Washington County**, affecting 21.9 acres. Receiving stream: unnamed tributary to Ten Mile Creek, classified for the following use(s): TSF. Application received: January 28, 2011.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The treated wastewater outfall listed below discharge to unnamed tributary to Ten Mile Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002 (Treatment Facility)	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.7	3.4	4.2
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall listed below discharge to unnamed tributary to Ten Mile Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Sedimentation Pond P-1)	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids	N/A	N/A	0.5(ml/l)

#### *Noncoal NPDES Draft Permits*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**NPDES No. PA0227218 (Permit No. 10960304). Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of an NPDES permit for a large industrial minerals surface mine in Washington Township, **Butler County**, affecting 544.6 acres. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: August 19, 2011.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to unnamed tributary to South Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	N
TP2	N
TP3	N
TP4	N
TP5	N
TP6	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (milliosmoles/kg)				50

<sup>1</sup> The parameter is applicable at all times.



The outfall(s) listed below discharge to unnamed tributary to South Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	N
SP2	N
SP3	N
SP4	N
SP5	N
SP6	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH1 (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5
Osmotic Pressure (milliosmoles/kg)				50

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the 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. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an 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 8 a.m. and 4 p.m. on working days 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(a) of the FWPCA.**

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Watershed Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**E46-1076. Richard Mellor, Township Manager,** Lower Moreland Township, 640 Red Lion Road, Huntingdon Valley, PA 19006, Lower Moreland Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain the proposed 8-foot wide, 75-foot span pedestrian bridge across the Huntingdon Valley Creek (Perennial, TSF-MF) associated with connection of the two existing sidewalk sections.

The site is located approximately 150 feet southeast of intersection of Welsh Road and Red Lion Road (Frankford, PA USGS Quadrangle N: 21.80 inches W: 7.93 inches).

**E46-1075. Skippack Township,** 1108 North Bethlehem Pike, Suite 5, Lower Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain an approximately 8-foot wide paved walking trail along the 100-year floodplain of the Pekiomen Creek. This work includes construction and maintenance of five outfall structures, and stabilization of approximately 310 linear feet of streambank.

The site is located approximately 3 miles northwest of the intersection of Skippack Pike (SR 0073) and Bridge Road (SR 0113), (Collegeville, PA USGS Quadrangle N: 18.5 inches; W: 13.5 inches).

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-2511.*

**E54-350. Port Clinton Borough,** P. O. Box 246, Port Clinton, PA 19549, in Port Clinton Borough and West Brunswick Township, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Schuylkill County portion of the Port Clinton Sanitary Borough Sewer Project:

1. An 8-inch diameter PVC sanitary sewer line crossing of an UNT to the Little Schuylkill River (CWF) below an existing culvert. (Port Clinton Borough—Latitude: 40° 35' 06.9"; Longitude: -76° 01' 29.5")

2. An 8-inch diameter PVC sanitary sewer line crossing of an UNT to the Little Schuylkill River (CWF) below an existing culvert. (Port Clinton Borough—Latitude: 40° 34' 56.5"; Longitude: -76° 01' 24.9")

3. An 8-inch diameter PVC sanitary sewer line crossing of an UNT to the Little Schuylkill River (CWF) below an

existing culvert. (West Brunswick Township—Latitude: 40° 34' 52.3"; Longitude: -76° 01' 32.9")

4. An 8-inch diameter concrete encased PVC sanitary sewer line crossing of Rattling Run (EV). (Port Clinton Borough—Latitude: 40° 34' 56.5"; Longitude: -76° 01' 24.9")

5. An 8-inch diameter concrete encased PVC sanitary sewer line crossing of Rattling Run (CWF). (Port Clinton Borough—Latitude: 40° 34' 52.3"; Longitude: -76° 01' 32.9")

6. A 3-inch diameter PVC sanitary force main crossing of Little Schuylkill River (CWF) attached to an existing bridge. (Port Clinton borough—Latitude: 40° 34' 48.1"; Longitude: -76° 01' 34.6")

7. A 6-inch diameter PVC sanitary force main crossing of approximately 20 feet of wetlands. (West Brunswick Township—Latitude: 40° 34' 38.8"; Longitude: -76° 01' 26.6")

8. A pump station located in the floodplain of the Little Schuylkill River.

The project is located along Route 61 (Center Turnpike), Blue Mountain Road and Port Clinton Avenue (Auburn and Hamburg, PA Quadrangles Latitude: 40° 34' 48"; Longitude: -76° 01' 31") in Port Clinton Borough and West Brunswick Township, Schuylkill County and Hamburg Borough, Berks County.

**E54-351. Porter-Tower Joint Municipal Authority**, 860 West Grand Avenue, Tower City, PA 17980, in Porter and Williams Township, **Schuylkill** and **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain an at-grade roadway in approximately 0.1 acre of the floodway of Wiconisco Creek (WWF, MF) and to construct and maintain a stormwater basin, roadway, treatment tanks and other site amenities in approximately 1.0 acre of the floodway fringe of Wiconisco Creek.

The activities are associated with the Porter-Tower Joint Municipal Authority Wastewater Treatment Plant Expansion Project. The project is located on the south side of US Route 209 approximately 1.9 miles west of its intersection with SR 0325 (Clarks Valley Road). Tower City, PA Quadrangle Latitude: 40° 35' 01"; Longitude: -76° 34' 50") in Porter Township, Schuylkill County and Williams Township, Dauphin County.

*Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**E05-360. Brian Barkley**, 9027 Hyndman Road, Manns Choice, Pennsylvania 15550, in Harrison Township, **Bedford County**, ACOE Baltimore District

To construct and maintain a single span bridge having a normal span of 40.0 feet, clear width of 10.5 feet, and minimum underclearance of 6.0 feet across Smalley Spring Branch (WWF) for the purpose of accessing existing farm fields. The project is located 850.0 feet north of the inter-section of Brant Hollow Road and SR 96 in Harrison Township, Bedford County (Buffalo Mills, PA Quadrangle; N: 13.42 inches, W: 2.88 inches; Latitude: 39°56'56", Longitude: -78°38'44").

**E36-888. Little Britain Township Board of Supervisors**, 323 Green Lane, Quarryville, Pennsylvania 17566, in Little Britain Township, **Lancaster County**, ACOE Baltimore District

To: 1) install and maintain two 18.0-inch diameter HDPE stormwater outfalls, including end-walls and R-4 riprap aprons, discharging to an unnamed tributary to Octoraro Creek (HQ-CWF, MF);

2) install and maintain an 18.0-inch diameter HDPE stormwater outfall, including endwalls and R-4 riprap apron, discharging to an unnamed tributary to Reynolds Run (HQ-CWF, MF);

3) replace and maintain three 18.0-inch diameter HDPE stormwater outfalls discharging to Reynolds Run (HQ-CWF, MF) each including type-D endwalls and R-4 riprap aprons and;

4) replace and maintain an 18.0-inch diameter culvert in an unnamed tributary to Reynolds Run (HQ-CWF, MF). The project is located on Kirks Mill Road just east of its intersection with Little Britain Road (Start: Wakefield, PA Quadrangle, N: 0.60 inch, W: 0.15 inch; Latitude: 39°45'11.98", Longitude: -76°07'33.88", End: Kirkwood, PA Quadrangle, N: 0.96 inch, W: 14.98 inches; Latitude: 39°45'19.10", Longitude: -76°06'23.80") in Little Britain Township, Lancaster County.

The purpose of the project is to improve site distance and increase the safety of the roadway.

**E36-889. Lewis T. David**, Columbia Water Company, 220 Locust Street, PO Box 350, Columbia, Pennsylvania 17512, in Columbia Borough, **Lancaster County**, ACOE Baltimore District

To demolish a maintenance building, Pump Station 1, Pump Station 2, sediment basin tank, and the Ajax boat building located in the floodplain of the Susquehanna River (WWF, MF), and construct and maintain a raw water pumping station, traveling screen facility, filter building addition, and flocculation sediment basin facility in the floodplain of the Susquehanna River (WWF, MF). The project is located at the existing Walnut Street Water Treatment Plant on the southeast quadrant of the intersection of Walnut Street and Locust Street (Columbia West, PA Quadrangle; N: 5.40 inches, W: 1.01 inches; Latitude: 40°01'47.0", Longitude: -76°30'25.9") in the Borough of Columbia, Lancaster County. The purpose of the project is to upgrade the existing facility to meet future growth and environmental regulations.

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E08-473. Central New York Oil & Gas Company, LLC**, 800 Robison Road, Owego, NY, 13827-6801. Water Obstruction and Encroachment Joint Application, MARC-I Hub Line, in Wilmot & Wyalusing Townships, **Bradford County**, ACOE Baltimore District (Laceyville NW, PA Quadrangle N: 41° 42' 15"; W: 76° 12' 58").

To construct, operate and maintain 13.5 miles of 30" natural gas pipeline within the North and West Branch of the Susquehanna River watersheds (Warm Water Fishery). The project is centered approximately 4 miles north-east of the Village of Wyalusing in Bradford County. This supplemental notice identifies additional encroachments as follows: (1) the crossing of eleven Unnamed Tributaries to the Susquehanna River, which are intermittent streams classified as Cold Water Fishery, totaling 120 linear feet, (2) the crossing of three Unnamed Tributaries to Sugar Run, which are intermittent streams classified as Cold Water Fishery, totaling 4 linear feet, (3) temporarily affect seven wetland areas: (a) 1,478 square feet of PEM, (b) 6,904 square feet of PEM/PSS, (c) 13,950 square feet of PEM/PSS/PFO, and (4) permanently affect 1,050

square feet of one PEM/PSS/PFO wetland area through conversion. Wetland compensation is not required because the permanent wetland impacts are de minimis (< 0.05 acre).

**E57-121. Central New York Oil & Gas Company, LLC**, 800 Robison Road, Owego, NY, 13827-6801. Water Obstruction and Encroachment Joint Application, MARC-I Hub Line, in Cherry, Davidson & Laporte Townships, **Sullivan County**, ACOE Baltimore District (Colley, PA Quadrangle N: 41° 33' 2"; W: 76° 21' 11").

To construct, operate and maintain 22.5 miles of 30" natural gas pipeline within the North and West Branch of the Susquehanna River watersheds (Warm Water Fishery). The project is centered approximately 3 miles north of the Village of Dushore in Sullivan County. This supplemental notice identifies additional encroachments as follows: (1) the crossing of one Unnamed Tributary to Payne Run, an intermittent stream with an existing use designation of Exceptional Value, totaling 2 linear feet, (2) the crossing of one Unnamed Tributary to Elclick Run, an intermittent stream classified as Exceptional Value, totaling 3 linear feet, and (3) temporarily affect two PEM wetland areas, totaling 9,013 square feet.

**E5729-021: Chesapeake Appalachia, LLC**, 101 N. Main Street, Athens, PA 18810, Elkland Township, **Sullivan County**, ACOE Baltimore District. To construct, operate, and maintain:

(1) a 16 inch diameter gathering line impacting 458 square feet of an exceptional value, ten acre palustrine forested (EV-PFO) wetland (Overton, PA Quadrangle 41°32'39"N, 76°31'47"W);

(2) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 178 linear feet of an unnamed tributary to Big Bottom Run (EV) (Overton, PA Quadrangle 41°32'19 "N, 76°32'42"W);

(3) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 3,277 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Overton, PA Quadrangle 41°32'18"N, 76° 32' 50"W);

(4) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 1,614 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Overton, PA Quadrangle 41°32'18"N, 76°33'21"W);

(5) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 178 linear feet of an unnamed tributary to Lick Creek (EV) (Overton, PA Quadrangle 41°32'18"N, 76°33'22"W);

(6) a 16 inch diameter gathering line impacting 50 linear feet of Lick Creek (EV) (Overton, PA Quadrangle 41°32'28"N, 76°33'46"W);

(7) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 4,569 square feet of a palustrine emergent (PEM) wetland (Overton, PA Quadrangle 41°32'32"N, 76°33'59"W);

(8) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 201 linear feet of an unnamed tributary to Lick Creek (EV) (Overton, PA Quadrangle 41°32'37"N, 76°34'08"W);

(9) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 32,463 square feet of an exceptional value, ten acre palustrine emergent/scrub shrub (EV-PEM/PSS) wetland (Overton, PA Quadrangle 41°32'38"N, 76°34'16"W);

(10) a 16 inch diameter gathering line impacting 29 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Overton, PA Quadrangle 41°32'41"N, 76°35'01"W);

(11) a 16 inch diameter gathering line impacting 35 linear feet of an unnamed tributary to Mill Creek (EV) (Overton, PA Quadrangle 41°32'41"N, 76°35'01"W);

(12) a temporary access road impacting 218 square feet of a palustrine scrub shrub (PSS) wetland (Overton, PA Quadrangle 41°32'47" N, 76°35'28"W);

(13) a 16 inch diameter gathering line impacting 42 linear feet of Mill Creek (EV) (Overton, PA Quadrangle 41°32'37"N, 76°35'23"W);

(14) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 204 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Overton, PA Quadrangle 41°32'35"N, 76°35'31"W);

(15) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 202 linear feet of an unnamed tributary to Mill Creek (EV) (Overton, PA Quadrangle 41°32'35"N, 76°35'42"W);

(16) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 191 linear feet of an unnamed tributary to Mill Creek (EV) (Overton Quadrangle 41°32'26"N, 76°36'47"W);

(17) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 5,553 square feet of an exceptional value, ten acre palustrine scrub shrub (EV-PSS) wetland (Overton, PA Quadrangle 41°32'25"N, 76°36'53"W);

(18) a temporary road crossing using a wood mat bridge and a 16.0-inch diameter gathering line impacting 192 linear feet of an unnamed tributary to Kings Creek (EV) (Overton, PA Quadrangle 41°32'35" N, 76°37'18"W);

(19) a temporary road crossing using three 60 inch diameter and one 72 inch diameter corrugated metal culverts and a 16 inch diameter gathering line impacting 292 linear feet of Kings Creek (EV) (Overton, PA Quadrangle 41°32'35"N, 76°37'20"W);

(20) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 123 linear feet of an unnamed tributary of Elk Creek (EV) (Shunk, PA Quadrangle 41°32'42"N, 76°38'11"W);

(21) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 246 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 26,684 square feet of an exceptional value, ten acre palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle GPS 41°32'33"N, 76°38'37"W);

(22) a temporary road crossing using a wood mat bridge and a temporary access road impacting 712 square feet of a palustrine emergent (PEM) wetland (Shunk, PA Quadrangle 41°32'25"N, 76°38'46"W);

(23) a 16 inch diameter gathering line impacting 12 linear feet of an unnamed tributary of Elk Creek (EV) (Shunk, PA Quadrangle 41°32'23"N, 76°38'49"W);

(24) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 90 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°32'24"N, 76°38'50"W);



(25) a temporary access road impacting 34 linear feet of an unnamed tributary to Mill Creek (EV) (Overton, PA Quadrangle 41°32'50"N, 76°35'39"W);

(26) a 12 inch diameter gathering line impacting 146 linear feet of an unnamed tributary to Blackwater Run (EV) (Shunk, PA Quadrangle 41°30'50"N, 76°36'27"W);

(27) a 12 inch diameter gathering line impacting 228 square feet of a palustrine forested (PFO) wetland (Shunk, PA Quadrangle 41°30'59"N, 76°36'20"W);

(28) a temporary road crossing using a wood mat bridge and a temporary road crossing using a wood mat bridge and a 12 inch diameter gathering line impacting 5,439 square feet of a palustrine scrub shrub (PSS) wetland (Shunk, PA Quadrangle 41°31'09"N, 76°36'11"W);

(29) a temporary road crossing using a wood mat bridge and a temporary road crossing using a wood mat bridge and a 12 inch diameter gathering line impacting 193 linear feet of Blackwater Run (EV) (Shunk, PA Quadrangle 41°31'20"N, 76°36'20"W);

(30) a temporary road crossing using a wood mat bridge and a 12 inch diameter gathering line impacting 123 linear feet of an unnamed tributary to Blackwater Run (EV) (Shunk, PA Quadrangle 41°31'35" N, 76°36'20"W);

(31) a temporary road crossing using a wood mat bridge and a 12 inch diameter gathering line impacting 191 linear feet of an unnamed tributary to Blackwater Run (EV) (Shunk, PA Quadrangle 41°31'40"N, 76°36'13"W);

(32) a permanent access road using a 30 inch diameter corrugated metal culvert impacting 66 linear feet of an unnamed tributary to Blackwater Run (EV) (Shunk, PA Quadrangle 41°30'06"N, 76°37'05"W);

(33) a temporary road crossing using a wood mat bridge and 12 inch diameter gathering line impacting 4,493 square feet of an exceptional value, ten acre palustrine scrub shrub (EV-PSS) wetland (Shunk Quadrangle 41°30'59"N, 76°36'20"W);

The resulting stream impacts are 2,383 linear feet of temporary impacts and 66 linear feet of permanent impacts. The resulting wetland impacts are 84,573 square feet (1.94 acres) of temporary impacts and 204 square feet of permanent impacts for the purpose of installing a gathering line for Marcellus well development.

*DEP- Bureau of Waterways Engineering, Water Management Program Manager, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8554, Harrisburg, PA 17105-8554*

**E4014-004, Borough of Yatesville**, 33 Pittston Avenue, Yatesville, PA 18640, Installation of 8' x 5' Concrete Box Culvert on Unnamed Tributary to the Susquehanna River, Yatesville Borough, **Luzerne County**, USACOE Baltimore District.

This permit is requested to construct and maintain an 8' x 5' concrete box culvert along an unnamed tributary to the Susquehanna River. The flood protection project is known as the Yatesville Flood Protection project DGS 181-23 (DEP C40:33). The project area will be impacted during construction and a total of 0.21 acre below Ordinary High Water will be disturbed. Reference the USGS "PITTSTON" Quadrangle North 9.5 inches, West 4.9 inches. The following activity is associated with the construction of this project:

- Construct approximately 1,600 LF of 8' x 5' precast concrete box culvert.

Anticipated construction time is 24 to 30 months.

## ACTIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits 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 before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) 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 Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel



Carson State Office Building, 400 Market Street, PO 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 Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### I. NPDES Renewal Permit Actions

*Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2553.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063975 (Sewage)	Thompson Borough Water Street, P. O. Box 89 Thompson, PA 18465	Susquehanna County Thompson Borough	Starrucca Creek (4-E)	Y
PA0043362 (Sewage)	Union Lake Hotel t/a Camp Equinunk/Blue Ridge 3881 Hancock Highway Equinunk, PA 18417	Wayne County Manchester Township	Unnamed Tributary of Little Equinunk Creek (1-A)	Y
PA0060763 (Sewage)	Middle Smithfield Township (Winona Lakes WWTP) 25 Municipal Drive East Stroudsburg, PA 18302	Monroe County Middle Smithfield Township	Bush Kill (1-D)	Y
PA0061565 (Sewage)	Chestnut Lake Camp 468 Shish Road Honesdale, PA 18431	Wayne County Berlin Township	Unnamed Tributary to Beach Lake (01A)	Y

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

<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>
PA0253146 Sew	Windber Country Club STP 1392 Forest Hills Drive Salix, PA 15952	Cambria County Adams Township	Little Paint Creek	Y

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<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>
PA0222747 (Renewal Sewage)	Seagull Cove SFTF 140 Seagull Lane North East, PA 16428	Erie County North East Township	Unnamed Tributary to Lake Erie (15)	Y
PA0221961 (Renewal Sewage)	Timberlee Valley STP 120 Brennan Lane Evans City, PA 16033-9712	Connoquenessing Township Butler County	Crab Run (20-C)	Y
PA0032026 (Renewal Sewage)	Family Affair Campground 9640 Findley Lake Road North East, PA 16428	North East Township Erie County	Unnamed Tributary of Sixteenmile Creek (15)	Y
PA0023591 (Renewal Sewage)	Washington Township STP P. O. Box 113 Fryburg, PA 16326	Washington Township Clarion County	East Sandy Creek (16-G)	Y

### II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0053970**, Sewage, **Martins Community LLP**, 25 Randy Lane, Cochranville, PA 19330.

This proposed facility is located in West Nottingham Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 12,000 GPD of treated sewage from a facility known as Martins Mobile Home Village STP to Unnamed Tributary to North East Creek in Watershed 7-K.

**NPDES Permit No. PA0058017**, Sewage, **Harrow Station, LLC**, 265 Frogtown Road, Kintnersville, PA 18930.

This proposed facility is located in Nockamixon Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge up to 15,000 GPD of treated sewage from a facility known as Harrow Station STP to Unnamed Tributary to Haycock Creek in Watershed 2-D.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

**NPDES Permit No. PA0060046**, Sewage, SIC Code 4952, **Can Do Inc.**, One South Church Street, Hazleton, PA 18201.

This existing facility is located in Hazle Township, **Luzerne County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0061841**, Industrial Waste, SIC Code 4941, **Pennsylvania American Water**, 100 N. Pennsylvania Avenue, Wilkes-Barre, PA 18701.

This existing facility is located in Carbondale Township, **Lackawanna County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial waste.

**NPDES Permit No. PA0029874**, Sewage, SIC Code 7011, **Skytop Lodge Corporation**, 1 Skytop, Skytop, PA 18357.

This existing facility is located in Barrett Township, **Monroe County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

**NPDES Permit No. PA0234095**, SIC Code 3341, **CMPC Transition LLC**, 181 West Madison Street, Chicago, IL 60602-4510.

This proposed facility is located in Spring Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated groundwater.

**PA0010031 A-2**, Industrial Waste, SIC Code 4911, **GenOn REMA, LLC**, 121 Champion Way, Canonsburg, PA 15317. Facility Name: GenOn REMA, LLC—Shawville Station.

This existing facility is located in Bradford Township, **Clearfield County**.

Description of Existing Activity: The application is for the amendment of an NPDES permit for an existing discharge of treated industrial waste.

### III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA*

**WQM Permit No. WQG02461115**, Sewage, **Abington Township**, 1176 Old York Road, Abington, PA 19001.

This proposed facility is located in Abington Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a pump station to bypass an existing wastewater treatment plant.

**WQM Permit No. 1511406**, Sewage, **Easttown Municipal Authority**, 566 Beaumont Road, Devon, PA 19333.

This proposed facility is located in Easttown Township, **Chester County**.

Description of Action/Activity: Upgrade pump station and replace 2,350 LF of 6 inch force main with 8 inch force main.

**WQM Permit No. 1500422**, Sewage, **Renewal, West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19335.

This proposed facility is located in West Bradford Township, **Chester County**.

Description of Action/Activity: Permit renewal to allow the continued operation of a sewage treatment plant with a spray irrigation system.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 2179410, Amendment 11-1**, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1185.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for construction/operation of upgrades & approvals to existing plant.

### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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**V. NPDES Waiver Stormwater Discharges from MS4 Actions**


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**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**


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*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041411007	PA Dept of Conservation & Natural Resources 435 State Park Rd Schellsburg PA 15559	Centre	Gregg, Penn & Potter Townships	Lingle Stream, Big Poe Creek, Laurel Run, UNT to Muddy Creek, UNT to Penns Creek & Pine Swamp Run HQ-CWFs

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056511004	Johnston the Florist 14179 Lincoln Way North Huntingdon, PA 15642	Westmoreland	North Huntingdon Township	UNT to Long Run (HQ-TSF)

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**VII. Approvals to Use NPDES and/or Other General Permits**


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The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision in 40 CFR 123.23(d).

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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 Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of 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 Residential Septage 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	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-02*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Coal Township Northumberland County	PAG2-1149-11-002	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18711-0790	Carbon Run (CWF)	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bedminster Township Bucks County	PAG0200 0904051-R	Toll PA, LP 250 Gibraltar Road Horsham, PA 19044	Deep Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAG0200 0911019	Sean Bethel DBA Bethel Construction 1690 Stony Road Hartsville, PA 18974-1074	Neshaminy Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2311025	The Agnes Irwin School 275 South Ithan Avenue Bryn Mawr, PA 19010-1099	Darby Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Springfield Township Delaware County	PAG0200 2311021	National Developers 1604 Walnut Street Philadelphia, PA 19103	Darby Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Conewago Twp. Adams County	PAG02000111023	Laverne Leese BJML Enterprises 932 Bollinger Road Littlestown, PA 17340	UNT to South Branch Conewago Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Tyrone Township Adams County	PAG02000111021	Malcolm Rudolph 200 Ginzle Road New Oxford, PA 17350	Tributary to Plum Run/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Allegheny Twp. Blair County	PAG02000711017	Marc Ansley 750 Carson Valley Road Duncansville, PA 16635	Spencer Run/WWF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Freedom, Juniata, & Greenfield Townships Blair County	ESCGP-1 0711801	Stephen Skellie Caiman Penn Midstream, LLC 5949 Sherry Lane, Suite 1300 Dallas, TX 75225	Blue Knob Run/ CWF and South Dry Run/WWF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Hollidaysburg Borough Blair County	PAG02000709010-R	Janet Eldred, Director Hollidaysburg Area Public Library 405 Clark Street Hollidaysburg, PA 16648	Brush Run/WWF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Derry Township Dauphin County	PAG02002209024	John Osmolinski Milton Hershey School PO Box 830 Hershey, PA 17033-0830	Spring Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Carroll and Rye Townships Perry County	PAG02035011008	James Corl 43 Ramsey Hollow Road Beech Creek, PA 16822	Fishing Run/WWF	Perry Co. Conservation District 31 West Main St., PO Box 36 New Bloomfield, PA 17068 717.582.8988
Hellam Township York County	PAG02006711051	Marc Van Zandt Alro Steel Corporation 130 Keeney Lane York, PA 17406	Kreutz Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Jackson Township York County	PAG02006711062	Rick Saxon Briarwood Golf Clubs 4775 West Market Street York, PA 17408	Honey Run / TSF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Loganville Borough York County	PAG02006711046	Tim Rutter CHR Corp 2295 Susquehanna Trail, Ste C York, PA 17404	UNT to East Branch of Codorus Creek / CWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Penn Township York County	PAG02006711052	Troy E. Eckert Yazoo Mills, Inc. 305 Commerce Street New Oxford, PA 17350	Gitts Run-Codorus Creek / WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

*Northcentral Region: Watershed Management Program Manager, 208 W Third Street, Williamsport, Pa 17701*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Asylum Township Bradford County	PAG02000812001	David D Struth Select Energy Services 101 Hillpointe Dr Ste 111 Canonsburg PA 15317	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120

*Facility Location:  
Municipality &  
County*Spring Township  
Centre County*Permit No.*

PAG02001411009

*Applicant Name &  
Address*Allen Strouse  
Strouse Electric Inc  
255 Sand Ridge Rd  
Howard PA 16841*Receiving  
Water / Use*Logan Branch  
CWF*Contact Office &  
Phone No.*Centre County  
Conservation  
District  
414 Holmes Ave  
Ste 4  
Bellefonte PA 16823  
(814) 355-6817

*Southwest Region: Regional Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Facility Location:  
Municipality &  
County*Cambria County  
Reade Township*Permit No.*

PAG02001111024

*Applicant Name and  
Address*Mr. Walt Ross  
Hoffman Construction Services  
326 Cycle Drive  
Portersville, PA 16051*Receiving  
Water / Use*Clearfield Creek  
(WWF)*Contact Office and  
Phone No.*Cambria County CD  
401 Candlelight  
Drive, Suite 221  
Ebensburg, PA  
15931  
(814) 472-2120Fayette County  
Connellsville  
Township

PAG02002611010

PennDot Dist. 12-0  
Joseph Szczur  
825 North Gallatin Avenue  
Extension  
Uniontown, PA 15401Connell Run  
(WWF)Fayette County CD  
10 Nickman Plaza  
Lemont Furnace, PA  
15456  
(724) 438-4497Somerset County  
Quemahoning &  
Jenner Townships

PAG02005611005

Jenner Township Municipal  
Water Authority  
PO Box 115  
Boswell, PA 15531Quemahoning  
Creek & Two Mile  
Run (CWF)Somerset County CD  
6024 Glades Pike,  
Suite 103  
Somerset, PA 15501Cranberry Township  
Butler County

PAG2001009017R

Cranberry Township  
Attn: Jason Kratsas  
2525 Rochester Rd, Ste 400  
Cranberry Township PA 16066UNT Brush Creek  
WWFButler Conservation  
District  
724-284-5270*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County*York County  
Dallastown Borough*Permit No.*

PAR203551

*Applicant Name &  
Address*Gichner Systems Group, Inc.  
490 East Locust Street  
Dallastown, PA 17313-1902*Receiving  
Water / Use*

Mill Creek / WWF

*Contact Office &  
Phone No.*DEP / SCRO  
909 Elmerton Street  
Harrisburg, PA  
17110  
717-705-4707Lebanon County  
Annville Township

PAR213547

BBGY  
Boger Concrete Company  
201 Iron Valley Drive  
Lebanon, PA 17042Quittapahilla  
Creek / TSFDEP / SCRO  
909 Elmerton Street  
Harrisburg, PA  
17110  
717-705-4707New Sewickley  
Township  
Beaver County

PAR116133

Mitsubishi Electric Power  
Products, Inc.  
530 Keystone Drive  
Warrendale, PA 15086-7537North Fork Big  
Sewickley CreekSouthwest Regional  
Office:  
Clean Water  
Program Manager  
400 Waterfront  
Drive  
Pittsburgh, PA  
15222-4745  
412-442-4000

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Erie Erie County	PAR208318	Zurn Industries, LLC 1801 Pittsburgh Avenue Erie, PA 16502-1543	Municipal Storm Sewers to Presque Isle Bay 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8 (SSN)*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Lower Chanceford Twp. York County	PAG080002 PAG080005 PAG080007 PAG080011 PAG080013 PAG080017 PAG080018 PAG080020 PAG082203 PAG083518 PAG083522 PAG083533 PAG083551 PAG083605 PAG089910	Jesse Baro, Inc. 157 Quarry Road Douglassville, PA 19518	Leonard Greek Farm 688 River Road Delta, PA 17314	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-9*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Todd Township Fulton County	PAG093536	Jason Ramsey Ramseys Septic Service 1010 Buchanan Trail McConnellsburg, PA 17233	Ramseys Septic Service 1010 Buchanan Trail McConnellsburg, PA 17233	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Liverpool Township Perry County	PAG093549	Dean Stephens Countryside Pumping Station 183 Riverview Road Liverpool, PA 17045	Countryside Pumping Station 183 Riverview Road Liverpool, PA 17045	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-10*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Blair County / Juniata, Freedom & Greenfield Townships	PAG103548	Caiman Penn Midstream, LLC 5949 Sherry Lane Suite 1300 Dallas, TX 75225-8008	UNT to South Dry Run / WWF, UNT to Carson Run / CWF, and Blue Knob Run, CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

## PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO 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 Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
[Township or Borough]	Jackson Township
County	<b>Snyder</b>
Responsible Official	Mr. Patrick R. Burke Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
Type of Facility	Public Water Supply
Consulting Engineer	William A. LaDieu, P.E. CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112
Permit Issued	January 6, 2012
Description of Action	Operation of the Kratzerville Water Storage Tank #2.

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant	<b>Sweithelm's General Store</b>
[Township or Borough]	Union Township
County	<b>Tioga</b>
Responsible Official	Ms. Debra Vought Sweithelm's General Store 3004 Ogdensburg Road Roaring Branch, PA 17765
Type of Facility	Public Water Supply
Consulting Engineer	William S. Bray, P.E. P. O. Box 535 Wellsboro, PA 16901
Permit Issued	January 9, 2012

Description of Action	Operation of the nitrate removal system. The system consists of a brine tank and Hydro-Quad treatment unit, including activated carbon treatment, softening, clarification, and quartz filtration.
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*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

<b>Permit No. 2611501</b> , Public Water Supply.	
Applicant	<b>Municipal Authority of Westmoreland County</b> , 124 Park & Pool Road, New Stanton, PA 15672
[Borough or Township]	Hempfield Township
County	<b>Westmoreland</b>
Type of Facility	East Greensburg #1 water storage tank
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	December 28, 2011

<b>Permit No. 0309501</b> , Public Water Supply.	
Applicant	<b>Municipal Authority of Buffalo Township</b> , 707 South Pike Road, Sarver, PA 16055
[Borough or Township]	Freeport Borough
County	<b>Armstrong</b>
Type of Facility	Membrane filtration plant
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	January 5, 2012

**Operations Permit** issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, 2nd Floor, Pittsburgh, PA 15222, (PWSID #5020038) City of Pittsburgh, **Allegheny County** on January 3, 2012 for the operation of facilities approved under Construction Permit # 0209515MA.

**Operations Permit** issued to: **Ambridge Water Authority**, PO Box 257, 600 Eleventh Street, Ambridge, PA 15003, (PWSID #5040008) Independence Township, **Beaver County** on December 28, 2011 for the operation of facilities approved under Construction Permit # 0410507MA.

**Operations Permit** issued to: **Findlay Township Municipal Authority**, 1271 Route 30, PO Box 409, Clinton, PA 15026, (PWSID #5020078) Findlay Township, **Allegheny County** on December 27, 2011 for the operation of facilities approved under Construction Permit # 0209518.



*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**Local Wellhead Protection Program Approval** issued to the **Edinboro Water Authority**, PWSID No. 6250022, Borough of Edinboro, **Erie County** on November 4th, 2011.

**Operation Permit** issued to **Henderson Township Municipal Authority**, PWSID #6330014, Henderson Township, **Jefferson County**. Permit Number 3395501-MA1, issued January 5, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 2010504** Public Water Supply

Applicant	<b>Aristocrat Spring Water, Inc.</b>
Township or Borough	Saegertown Borough
County	<b>Crawford</b>
Type of Facility	Public Water Supply
Consulting Engineer	Douglas C. Sceiford, P.E. Hill Engineering, Inc. 8 Gibson Street North East, PA 16428-1012
Permit to Construct Issued	January 5, 2012

**Operation Permit** issued to **Knox Township Municipal Authority**, PWSID #6330008, Knox Township, **Jefferson County**. Permit Number 3391502-MA1, issued January 6, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 1011501** Public Water Supply

Applicant	<b>Slippery Rock Municipal Authority</b>
Township or Borough	Slippery Rock Township
County	<b>Butler</b>
Type of Facility	Public Water Supply
Consulting Engineer	David Swisher, P.E. Herbert Rowland & Grubic, Inc. 474 Windmere Drive State College, PA 16801
Permit to Construct Issued	January 9, 2012

#### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Muncy Borough	Muncy Borough 14 North Washington Street Muncy, PA 17756	Lycoming
and		
Muncy Creek Township	Muncy Creek Township 575 Route 442 Highway Muncy, PA 17756	Lycoming

*Plan Description:* The approved plan calls for the construction of new regional wastewater treatment plant

(WWTP) with combined wastewater flows from the existing Muncy and Montgomery WWTPs under a newly formed West Branch Regional Authority. The regional sequencing batch reactor WWTP will be located in Clinton Township and serve Muncy Borough, Muncy Creek Township, Montgomery Borough, and Clinton Township. Montgomery Borough and Clinton Township's component of regionalization is approved under a separate plan. The SBR WWTP will be capable of treating for nutrient removal and discharge 2.5 MGD average daily flow of treated effluent into the West Branch Susquehanna River. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Clinton Township	Clinton Township Supervisors c/o Janet Mincemoyer, Sec. 2106 State Route 54 Montgomery, PA 17752-9405	Lycoming
and		
Montgomery Borough	Montgomery Borough Council c/o John D. Lynch Sr., Sec. PO Box 125 35 South Main Street Montgomery, PA 17752	Lycoming

*Plan Description:* The approved plan provides for the continuation of Clinton Township's On-Lot Sewage Management Program in the un-sewered areas of Clinton Township, the construction of a new pump station near the existing Montgomery Borough sewage treatment plant, construction of a new force main to convey sewage to a new regional sewage treatment plant, and the construction of the new regional sewage treatment plant along State Route 405 near the railroad overpass, in Clinton Township. A new West Branch Regional Authority will be formed to own and operate the new sewerage facilities, as well as all existing sewerage facilities in Clinton Township and Montgomery Borough. The existing Montgomery Borough sewage treatment plant, which currently serves both Montgomery Borough and Clinton Township, will be abandoned upon completion of the new facilities. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of 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 act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**FES Systems**, 3455-4576 Board Road, York, PA, Manchester Township, **York County**. Earth Data Northeast, Inc., 924 Springdale Drive, Exton, PA 19341 on behalf of FES Systems, Inc., 3475 Board Road, York, PA 17406 and Thermo Fisher Scientific, 81 Wyman Street, Waltham, MA 02451, submitted a Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with 1,1, dichloroethene. The applicant proposes to remediate the site to meet the Site-Specific standard requirements.

## 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—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the 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. 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. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. 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. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Triton Electronics**, 3100 Charlotte Avenue, Palmer Township, **Northampton County**. Kenneth M. Battyani, AECOM Technical Services, Inc., Four Gateway Center, 444 Liberty Avenue, Suite 700, Pittsburgh, PA 15222 submitted a Final Report (on behalf of his client, Exelis, Inc., 1650 Tysons Boulevard, Suite 1700, McLean, VA 22102-4827), concerning the remediation of soil found to have been impacted by diesel fuel. The report documented attainment of the residential Statewide Health Standard for soil and was approved on December 22, 2011. The report was originally submitted within 90 days of the release.

**Former McCrory Store**, 609 Main Street, Honesdale Borough, **Wayne County**. Martin Gilgallon, Pennsylvania Tectonics, Inc. submitted a Final Report (on behalf of his client, R & K Real Estate Holdings, LLC, 469 Ridge Avenue, Hawley, PA 18428), concerning the remediation of soil and groundwater found to have been impacted by No. 2 fuel oil as a result of a release from an unregulated underground storage tank. The report documented attainment of the Residential Statewide Health Standard for soil and groundwater and was approved on January 3, 2012.

**Vottero Residence**, 214 South 23rd Street, Allentown City, **Lehigh County**. Christopher Jacangelo, J.

Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044 submitted a Final Report (on behalf of his client, Diane Vottero, 214 South 23rd Street, Allentown, PA 18104), concerning the remediation of soil found to have been impacted by No. 2 heating oil as a result of a release from a pitted and corrosive steel underground storage tank, which was observed during the tank's removal process. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on January 5, 2012.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Estavillo Property**, 1047 Heritage Drive, Gettysburg, PA 17325, Mount Joy Township, **Adams County**. PA Tectonics, Inc., 826 Main Street, Peckville, PA 18452 on behalf of Paul and Jill Estavillo, 1047 Heritage Drive, Gettysburg, PA 17325, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on January 5, 2012.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Sunoco Logistics—Barneys Drive**, Loyalsock Township, **Lycoming County**. Mr. Michael Sarcinello, Aquaterra Technologies, Inc. 122 South Church Street, West Chester, PA 19382 on behalf of Sunoco Logistics Partners, L.P., has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gas. The Final Report demonstrated attainment of the Site-specific Standard and Statewide Health Standard and was approved by the Department on December 29, 2011.

**Principal Enterprises, LLC Truck Rollover**, Troy Township, **Northumberland County**. Golder Associates, Inc, 209 North Main Street, Horseheads, NY 14845 on behalf of Talisman Energy USA, Inc., 337 Daniel Zenker Drive, Horseheads, NY 14845 has submitted a Final Report with 90 days of release concerning the remediation of site soil contaminated with hydraulic stimulation fluid (HSF) and hydraulic oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 27, 2011.

**Keister Miller Investments, LLC.**, Bell Township, **Clearfield County**, 204 Miller Road, Mahaffey, PA 15737, has submitted a Final Report with 90 days of release concerning the remediation of site soil contaminated with frac fluid. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 29, 2011.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northeast Region: William Tomayko, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 101615. Commonwealth Environmental Systems Landfill**, Commonwealth Environmental Systems, L.P., 249 Dunham Drive, Dunmore, PA 18512. A Major Permit Modification, authorizing the replacement

of the existing leachate treatment system with a reverse osmosis system for the discharge of the treated effluent into Middle Creek, at this municipal waste landfill located in Foster and Reilly Townships, **Schuylkill County**. The Major Permit Modification was approved by the Regional Office on December 16, 2011.

### 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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**58-310-048GP3: H.L. Robinson Sand & Gravel, Inc.** (535 Ithaca Road, Candor, NY 13743) on December 13, 2011, to construct and operate a Portable Crushing Operation with watersprays at their site in Lenox Township, **Susquehanna County**.

**58-329-041GP9: H.L. Robinson Sand & Gravel, Inc.** (535 Ithaca Road, Candor, NY 13743) on December 13, 2011, to install and operate Diesel I/C engines at their site in Lenox Township, **Susquehanna County**.

**58-310-049GP3: Pennsy Supply Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on January 5, 2012 to install and operate a portable crushing operation at their site in Forest Lake Township, **Susquehanna County**.

**58-310-050GP3: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on January 5, 2012, to install and operate a portable crushing operation at the site in Middletown Township, **Susquehanna County**.

**58-329-042GP3: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on January 5, 2012, to install and operate diesel engines at their site in Forest Lake Township, **Susquehanna County**.

**58-329-043GP3: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on January 5, 2012, to install and operate diesel engines at their site Middletown Lake Township, **Susquehanna County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP3-08-346: Robert Johnson Flagstone, Inc.** (3658 Old Stage Coach Road, Wyalusing, PA 18853) on December 28, 2011, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Sharer Quarry in Stevens Township, **Bradford County**.

**GP9-08-346: Robert Johnson Flagstone, Inc.** (3658 Old Stage Coach Road, Wyalusing, PA 18853) on December 28, 2011, to construct and operate one 350 brake horsepower, Caterpillar model C9 CLJ04853 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-9): Diesel or #2



Fuel-fired Internal Combustion Engines at their Sharer Quarry in Stevens Township, **Bradford County**.

**GP5-41-675: PVR Marcellus Gas Gathering, LLC** (100 Penn Tower, Suite 201 & 202, Williamsport, PA 17701) on December 30, 2011, to construct and operate four (4) engines and two (2) dehydration units pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at their Roupp Compressor Station located in Mifflin Township, **Lycoming County**.

**GP3-60-094: New Enterprise Stone and Lime Co., Inc.—d/b/a Eastern Industries, Inc.** (PO Box 177, Winfield, PA 17899) on January 5, 2012, to construct and operate a 2010 vintage Powerscreen Warrior 1800 portable screening plant under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their site in Buffalo Township, **Union County**.

**GP9-60-094: New Enterprise Stone and Lime Co., Inc.—d/b/a Eastern Industries, Inc.** (PO Box 177, Winfield, PA 17899) on January 5, 2012, to construct and operate a 2010 vintage 111 brake-horsepower Caterpillar model C4.4 TA diesel engine under the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at their site in Buffalo Township, **Union County**.

**GP5-19-201A: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102) on January 6, 2012, to construct and operate three (3) 1340 brake-horsepower, natural gas-fired, four stroke, lean burn Caterpillar model G3516 LE internal combustion compressor engines, each equipped with EMIT model ELH-4300 oxidation catalysts, a 6 million standard cubic feet per day Exterran model 488702002 tri-ethylene glycol dehydrator incorporating a 2.0 million Btu per hour reboiler and three 16,800 gallon produced water storage tanks under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Levan Compressor Station in Pine Township, **Columbia County**.

**GP5-18-164A: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102) on January 6, 2012, to construct and operate three 1340 brake-horsepower, natural gas-fired, four stroke, lean burn Caterpillar model G3516 LE internal combustion compressor engines, each equipped with EMIT model ELH-4300 oxidation catalysts, a 6 million standard cubic feet per day Exterran model 488702002 tri-ethylene glycol dehydrator incorporating a 2.0 million Btu per hour reboiler and three 16,800 gallon produced water storage tanks under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at their Dry Run Compressor Station in Chapman Township, **Clinton County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP5-32-00374A: Mountain Gathering, LLC** (810 Houston Street, Suite 2000 Fort Worth, Texas 76102) on January 3, 2012, to allow to take over as new owner of the previously installed and operated one (1) Waukesha F1197G, 4-stroke rich burn, natural gas fired compressor engine, rated at 186 bhp @ 1,400 rpm, Six (6) Condensate/Storage Tanks with a total capacity of 23,100 gallons (500

bb) to store produced water and waste oil at their Lightcap Compressor Station, located in Rayne Township, **Indiana County, PA**.

**Plan Approvals Issued under the Air Pollution Control Act 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.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**21-03098A: HP Enterprise Service, LLC** (225 Grandview Avenue, Camp Hill, PA 17011-1712) on January 4, 2012, for installation and temporary operation of six emergency generators and one emergency fire pump, at the facility located in East Pennsboro Township, **Cumberland County**.

**06-03150A: Craig Manufacturing Corp.** (PO Box 901, Adamstown, PA 19501) on January 3, 2012 for installation and temporary operation of reinforced fiberglass plastic manufacturing operations, including a 14,000 acfm spray booth controlled by dry panel filters at a facility located in Spring Township, **Berks County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**07-05003C: Norfolk Southern Railway Co.** (200 North 4th Avenue, Altoona, PA 16601-6702) on January 4, 2012, to modify their boilers and related control equipment at their facility in Logan Township, **Blair County**. This plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**41-00080A: Chief Gathering, LLC** (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090-7386) on December 5, 2011, to extend the authorization for the construction of two natural-gas-fired compressor engines each equipped with oxidation catalysts at the Canoe Run Compressor Station located in Mifflin Township, **Lycoming County** to June 6, 2012. The plan approval has been extended.

**18-315-001: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17702-7428) on December 19, 2011, to extend the authorization to operate paper towel and tissue manufacturing operation at their facility in Castanea Township, **Clinton County** on a temporary basis to June 17, 2012. The plan approval has been extended.

**18-315-001C: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17702-7428) on December 30, 2011, to extend the authorization to operate two natural gas-fired boilers at their facility in Castanea Township,



**Clinton County** on a temporary basis to June 28, 2012. The plan approval has been extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**04-00065C: WHEMCO—Steel Castings, Inc.** (1 12th Street, Midland, PA 15059) on January 6, 2012, to extend the period of temporary operation of a head burning booth controlled by an existing baghouse until July 7, 2012, at Midland Foundry Division in Midland Borough, **Beaver County**.

**03-00027B: GenOn Northeast Management Co.** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on January 6, 2012, a Plan Approval extension for construction of the Flue Gas Desulfurization (FGD) Systems for Boilers No. 1 and No. 2 at Keystone Generating station in Plumcreek Township, **Armstrong County**.

**65-00966A: Greensburg Thermal, LLC** (755 Opossum Lake Road, Carlisle, PA, 17015) on January 6, 2012, for a Plan Approval Extension with an expiration date of July 6, 2012, to extend the period of temporary operation of sources and controls authorized under Plan Approval PA-65-00966A at their SCI Greensburg steam plant in Hempfield Township, **Westmoreland County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**62-017S: United Refining Co.** (15 Bradley Street, Warren, PA 16365) on December 31, 2011, to modify several existing sources to produce reduced benzene gasoline (meet EPA's MSAT II fuel requirements) in Warren City, **Warren County**. This is a Title V facility.

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#### **Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**22-05012: ArcelorMittal Steelton, LLC** (215 S. Front Street, Steelton, PA 17113-2538) on January 4, 2012, for their steel rail and ingot manufacturing facility in Steelton Borough, **Dauphin County**. The Title V permit was renewed.

**06-05078: FR & S, Inc.** (727 Redland Road, Birdsboro, PA 19508-1702) on January 4, 2012, for the Pioneer Crossing Landfill in Exeter Township, **Berks County**. The Title V permit was renewed.

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#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**36-05135: StyleCraft Corp.** (PO Box 740, Terre Hill, PA 17581-0740) on January 3, 2012, for their wood kitchen cabinet manufacturing facility in Terre Hill Borough, **Lancaster County**. The State-only permit was renewed.

**06-05088: EJB Paving & Materials Company** (1119 Snyder Road, West Lawn, PA 19609) on December 30, 2011, for their batch and drum mix asphalt plant facility in Ontelaunee Township, **Berks County**. The State-only permit was renewed.

**05-03005: Kennametal, Inc.** (442 Chalybeate Road, Bedford, PA 15522-8637) on December 29, 2011, for their foundry operation in Bedford Township, **Bedford County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**41-00067: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on January 4, 2012, for operation of their Montoursville Asphalt Plant No. 15 facility in Loyalsock Township, **Lycoming County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**24-00165: Elkhorn Gas Processing, LLC** (4613 East 91st Street, Tulsa, Oklahoma 74137) on December 22, 2011, issued a new State Only Operating Permit for their facility in Jones Township, **Elk County**. The facility is a Natural Minor. The primary sources at the facility include a dehydrator, storage tanks, and compressor engines. The new permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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#### **Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**28-05036: Stonehouse Acquisitions Company** (8025 Bluegrass Drive, Florence, KY 41042-2901) on January 3, 2012, for the Marblux synthetic marble manufacturing facility in Greene Township, **Franklin County**. The Title V permit was administratively amended to reflect a change of ownership.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**60-00005: Elkay Wood Products Co.** (100 Industrial Park, Mifflinburg PA 17844) revised State Only Operating Permit 60-00005 on January 5, 2012. The revisions to the operating permit included removal of the testing, monitor-

ing and recordkeeping conditions for oil. The facility doesn't use oil as fuel to operate any stationary air contaminant source. Additionally, the description of the lumber drying operation was revised to reflect normal operating conditions. State Only Operating Permit 60-00005 contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**65-00982: Peoples TWP LLC** (205 Main St., Butler, PA, 16001-4904) located in Bell Township, **Westmoreland County**. The permittee has submitted an application for administrative amendment of its operating permit to revise owner information and to update responsible official and permit contact information.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**10-00319: Main Steel Polishing** (6 Whitney Drive, Harmony, PA 16037) on January 5, 2012, issued an administrative amendment to the State Operating Permit to incorporate the change in tax ID and change in responsible official for the facility located in Harmony Borough, **Butler County**.

**61-00191: WS Packaging Group Inc.** (1642 DeBence Drive, Franklin, PA 16323) on January 6, 2012, issued an administrative amendment to the State Operating Permit to incorporate the change in responsible official and permit contact for the facility in Sandycreek Township, **Venango County**.

<i>Date</i>	<i>Source</i>	<i>PM10 (tons)</i>	<i>SOx (tons)</i>	<i>NOx (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
1-6-12	Startup dump increase in hours of operation	0.33			0.19	
Total Reported Increases		0.33			0.19	
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**25-00891: Corry Contract, Inc** (21 Maple Avenue, Corry, PA 16407), for its facility located in Corry Borough, **Erie County**. The De minimis emission increase is for the construction of a Laser Cutter with dust collector. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Depart-

<i>Date</i>	<i>Source</i>	<i>PM10 (tons)</i>	<i>SOx (tons)</i>	<i>NOx (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
1-6-12	Laser cutter with dust collector	0.011				
Total Reported Increases		0.011				
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**TV-04-00059: IPSCO Koppel Tubulars Corp.** (PO Box 750, Beaver Falls, PA 15010). Per Title 25 Pa Code Section 127.449(i), this Notice is for the following de minimis emission increase at the IPSCO Koppel Tubulars Corp. facility located in Koppel Borough, **Beaver County**:

Emissions from the temporary ladle skull torch cutting operation to be conducted within a building will not exceed 0.8 tons of NOx and 0.4 tons of PM10 after control by a temporary truck mounted dust collector for the maximum 450 hour duration project.

The list of de minimis increases includes only this project:

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**16-00132: Clarion Boards, Inc** (143 Fiberboard Road, Shipperville, PA 16254), for its facility located in Paint Township, **Clarion County**. The De minimis emission increase is for the increase in hours of operation for the Startup Dump (Source 132). In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on December 21, 2010.

ment hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on March 22, 2007.

## 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; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### *Coal Permits Actions*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30841317. Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** to install the 3 North 6 Shaft site. Surface Acres Proposed 26.7. The application was considered administratively complete on June 14, 2010. Application received December 1, 2009. Permit issued January 6, 2012.

**3205130 and GP12-32051301-R8. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650), to revise the permit for the Barrett Deep Mine in Buffington Township, **Indiana County** to establish an inventory for coal handling based on maximum total annual raw coal throughput at the facility of 750,000 tons per calendar year. Emission sources are truck loading from stockpile, unpaved haul roads, stockpile wind erosion, transfer points, and coal screening. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-32051301-R8. The application was considered administratively complete on February 7, 2011. Application received February 7, 2011. Permit issued January 6, 2012.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**30100101 and NPDES Permit No. PA0251950. Border Energy, LLC** (308 Dents Run Road, Morgantown, WV 26501). Revision permit issued to grant a Section 401 Water Quality Certification to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 188.5 acres. Receiving streams: unnamed tributaries to Whiteley Creek. Application received: December 5, 2011. Permit issued: January 5, 2012.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**40663029R5. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, Northampton, PA 18067), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Foster Township and Jeddo Borough, **Luzerne County** affecting 521.0 acres, receiving stream:

Black Creek. Application received: January 20, 2011. Renewal issued: January 6, 2012.

**40-305-001GP12. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, Northampton, PA 18067), renewal of an existing general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40663029 in Foster Township and Jeddo Borough, **Luzerne County**. Application received: January 20, 2011. Renewal issued: January 6, 2012.

**40663029GP104. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, Northampton, PA 18067), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40663029 in Foster Township and Jeddo Borough, **Luzerne County**, receiving stream: Black Creek. Application received: June 1, 2011. Permit issued: January 6, 2012.

### *Noncoal Permits Actions*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**4275SM19 and NPDES Permit No. PA0599204. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit in Spruce Creek and Warriors Mark Townships, **Huntingdon County**. Receiving stream(s): UTS to/and Little Juniata River, Gensimore Run classified for the following use(s): trout stocked fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received October 14, 2011. Permit issued January 4, 2012.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**43060302. Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Revision to an existing large industrial minerals mine to add 12.2 acres in Jefferson Township, **Mercer County** affecting a total of 73.2 acres. Receiving streams: Two unnamed tributaries to Licking Creek. Application received: September 2, 2011. Permit Issued: January 5, 2012.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**58112503. F.S. Lopke Contracting, Inc.**, (3430 State Route 434, Apalachin, NY 13732), commencement, operation and restoration of a quarry operation in Harford Township, **Susquehanna County** affecting 10.0 acres, receiving stream: Drainage to Beaver Meadows Pond. Application received January 13, 2011. Permit issued January 5, 2012.

**58112503GP104. F.S. Lopke Contracting, Inc.**, (3430 State Route 434, Apalachin, NY 13732), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58112503 in Harford Township, **Susquehanna County**, receiving stream: Drainage to Beaver Meadows Pond to East Branch Martins Creek, cold water fishes. Application received January 13, 2011. Permit issued January 5, 2012.

**36900302C6 and NPDES Permit No. PA0594784. Haines & Kibblehouse, Inc.**, (PO Box 196, Skippack, PA 19474), correction to an existing quarry operation to update the permitted acres, depth of mining and NPDES Permit in Fulton Township, **Lancaster County** affecting 74.69 acres, receiving stream: unnamed tributary to Octoraro Creek. Application received: July 21, 2010. Correction issued: January 6, 2012.



**ACTIONS ON BLASTING ACTIVITY  
APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. 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*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**56124001. Joseph B. Fay Company**, P. O. Box 66, Russellton, PA 15076-0066, blasting activity permit issued for railroad construction project in Upper Turkeyfoot Township, **Somerset County**. Blasting activity permit end date is December 31, 2012. Permit issued January 4, 2012.

*Greensburg District Mining Office: Armbrust Professional Center; 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**26104009. Global Geophysical Services, Inc.** (13927 South Gessner Road, Missouri City, TX 77489). Extension to an existing Blasting Activity Permit to conduct seismic exploration of the Rolling Rock 3D, located in Dunbar, North Union, South Union Townships, etc., **Fayette County**. The duration of blasting is expected to last an additional six months. Blasting permit issued: January 3, 2012.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**08114146. Meshoppen Blasting, Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting at a well site located in North Towanda Township, **Bradford County**. Permit issued: January 4, 2012. Permit expires: March 31, 2012.

**4114002. CGG Veritas Land (US) Inc.** (10300 Town Park Drive, Houston, TX 77072). Permit expiration date extension—from December 31, 2011 to March 31, 2012. Permit is located in various townships of **Lycoming County**. This extension is approved: January 4, 2012.

**4114020. DemTech** (65 Bald Mountain Road, DuBois, WY 82513). Blasting for a controlled demolition of the SEDA bridge located in Montoursville Borough, **Lycoming County**. Permit issued: November 29, 2011. Permit expires: December 31, 2011.

**41124101. Wampum Hardware Co.** (2856 Stoystown Road, Friedens, PA 15541-7020). Construction blasting for a pond located in Wolf Township, **Lycoming County**. Permit issued: January 5, 2012. Permit expires December 31, 2012.

**57114112. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866). Construction blasting for a gas compressor station located in Davidson Township, **Sullivan County**. Permit issued: January 4, 2012. Permit expires: December 25, 2012.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**36114176. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stone Henge Reserve in Manheim Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: December 23, 2011.

**36114177. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Brian Zimmerman dwelling in Elizabeth Township, **Lancaster County** with an expiration date of April 30, 2012. Permit issued: December 28, 2011.

**58114146. Maine Drilling & Blasting**, (PO Box 1140, Gardiner, ME 04345), construction blasting for Trecoske Well Pad in Silver Lake Township, **Susquehanna County** with an expiration date of December 22, 2012. Permit issued: December 29, 2011.

**15114113. Brubacher Excavating, Inc.**, (PO Box 528, Bowmansville, PA 17507), construction blasting for Village Green in Honey Brook Township, **Chester County** with an expiration date of December 31, 2012. Permit issued: January 3, 2012.

**35114106. Dyno-Nobel, Inc.**, (1320 Galiffa Drive, Donora, PA 15033), construction blasting Jessup Small Business Center in Jessup Borough, **Lackawanna County** with an expiration date of December 31, 2012. Permit issued: January 5, 2012.

**35114107. Dyno-Nobel, Inc.**, (1320 Galiffa Drive, Donora, PA 15033), construction blasting for Valley View Industrial Park in Jessup Borough, **Lackawanna County** with an expiration date of December 31, 2012. Permit issued: January 5, 2012.

**40124101. Dyno-Nobel, Inc.**, (1320 Galiffa Drive, Donora, PA 15033), construction blasting for East Mountain Corporate Center in Plains Township, **Luzerne County** with an expiration date of January 31, 2013. Permit issued: January 5, 2012.

**22124104. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Kreider Farms in Lower Swatara Township, **Dauphin County** with an expiration date of December 31, 2012. Permit issued: January 6, 2012.

**58124102. Meshoppen Blasting, Inc.**, (PO Box 127, Meshoppen, PA 18630), construction blasting for Southwest Range 22 Pad in New Milford Township, **Susquehanna County** with an expiration date of June 30, 2012. Permit issued: January 6, 2012.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The 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).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with 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.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO 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 Board within 30 days of publication of this



notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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**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 and Notice of Final Action for Certification under section 401 of the FWPCA.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5729-016: Chesapeake Appalachia, LLC, 101 N. Main Street, Athens, PA 18810, Cherry Township, Sullivan County, ACOE Baltimore District.**

To construct, operate, and maintain:

(1) two 16.0 inch diameter temporary water lines and a timber mat across Little Loyalsock Creek (EV, MF) impacting 33 linear feet (Colley Quadrangle 41°31'56"N 76°20'08"W),

(2) two 16.0 inch diameter temporary water lines and a timber mat impacting 3622 square feet of a palustrine emergent (PEM) wetland (Colley Quadrangle 41°32'37"N 76°20'06"W),

(3) two 16.0 inch diameter temporary water lines and a timber mat impacting 340 square feet of palustrine forested (PFO) wetland (Colley Quadrangle 41°32'39"N 76°20'06"W),

(4) two 16.0 inch diameter temporary water lines and a timber mat across an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) impacting 21 linear feet (Colley Quadrangle 41°32'56"N 76°19'56"W).

The project will result in 47 linear feet of temporary stream impacts and 3962 square feet of temporary wetland impacts from water lines and temporary mat crossings. These crossings will accumulate a total of less than 0.01 acre of watercourse impacts and 0.09 acre of wetland impacts all for the purpose of installing temporary water lines with associated access roadways for Marcellus well development.

**E0829-023: Chesapeake Appalachia, LLC, 101 N. Main Street, Athens, PA 18810, Wilnot Township, Bradford County, ACOE Baltimore District.**

To construct, operate, and maintain:

(1) two 16.0 inch diameter temporary water lines over an existing culvert on an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) impacting 3 linear feet (Colley Quadrangle 41°33'05"N 76°20'10"W),

(2) two 16.0 inch diameter temporary water lines and a timber mat impacting 1263 square feet of a palustrine emergent (PEM) wetland (Colley Quadrangle 41°33'15"N 76°20'06"W),

(3) two 16.0 inch diameter temporary water lines and a timber mat impacting 2420 square feet of palustrine emergent (PEM) wetland (Colley Quadrangle 41°33'19"N 76°19'43"W),

(4) two 16.0 inch diameter temporary water lines and a timber mat across North Branch Mehoopany Creek (CWF, MF) impacting 32 linear feet (Colley Quadrangle 41°33'43"N 76°19'53"W).

The project will result in 35 linear feet of temporary stream impacts and 3683 square feet of temporary wetland impacts from water lines and temporary mat crossings. These crossings will accumulate a total of less than 0.01 acre of watercourse impacts and 0.08 acre of wetland impacts all for the purpose of installing temporary water lines with associated access roadways for Marcellus well development.

*Southeast Region: Watershed Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**E15-821. East Whiteland township, 209 Conestoga Road, Frazer, PA 19355, East Whiteland Township, Chester County, ACOE Philadelphia District.**

To remove the existing pump station and to construct and maintain a new station at the same location in and along the 100-year floodplain of Valley Creek.

The site is located northwest of the intersection of Conestoga Road and Mill Lane, (Malvern, PA USGS Quadrangle, N: 9.2 inches; W: 7.8 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-953. Cold Springs Investment Group, L.P. 301 Oxford Valley Road, Suite 702, Yardley, PA 19067-7713, Yardley borough, Bucks County, ACOE Philadelphia District.**

To perform the following water obstruction and Encroachment activities across/along Brock Creek associated with the construction of a residential development at the existing US Magnet site (Cold Springs):

1. To construct and maintain a 95-foot long, 6-foot wide, and 8.5-foot high pedestrian bridge.
2. To construct and maintain four outfall structures.
3. To stabilize and maintain approximately 30 linear feet of streambank.

The site is located near the intersection of Newtown Road and West Afton Avenue (Trenton west, NJ-PA USGS Quadrangle N: 21.5 inches; W: 13.4 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E46-1068. Theodore Locker**, Township Manager, Skippack Township, 4089 Heckler Road, Skippack, PA 19474, Skippack Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a new 6-foot wide, 23-foot span pedestrian bridge across a tributary to Skippack Creek (TSF-MF) associated with expansion of the existing sidewalk/trail system.

The site is located about 200 feet southeast of Skippack Pike and Collegeville Road (Collegeville- PA USGS Quadrangle N: 17.5 inches W: 3.25 inches).

**E51-176. City of Philadelphia**, Capital Program Office, 1515 Arch Street, 11th Floor, One Parkway Building, Philadelphia, Pa, 19102, City and **County of Philadelphia**, ACOE Philadelphia District.

To perform the following activities along a 5,500 linear foot (+/-) section of the Manayunk Canal (WWF) situated within the 100-year floodplain of the Schuylkill River and associated with Phase III of the Manayunk Canal Reconstruction Project:

1. To remove approximately 5,500 linear feet of deteriorated timber, stone, and steel sheet piling retaining wall along the northern and southern banks of the canal and to construct and maintain, in its place, new steel soldier pile and timber lagging retaining wall.

2. To repair, reconstruct, and maintain a section of an existing timber boardwalk located between Leverington Street and Fountain Street.

3. To repair, reconstruct, and maintain the existing stormwater outfall structures and associated retaining walls at Leverington Street.

4. To dredge and maintain approximately 7,000 cubic yards of accumulated sediment from various sections of the canal located in the vicinity of Fountain Street and Leverington Street.

5. To install and maintain towpath amenities, including landscaping, lighting, benches, and trash receptacles from Lock Street to Fountain Street.

6. To install and maintain water flow improvements including the installation of piping and valves at the Sluice House No. 68.

This portion of the project also includes the installation and maintenance of temporary cofferdam structures.

The site is located adjacent to the Schuylkill River starting at Lock Street (Germantown, PA, USGS Quadrangle N: 4.5 inches; W: 13.8 inches) and terminates west of Parker Avenue (Germantown, PA, USGS Quadrangle N: 5.7 inches; W: 15.3 inches).

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**E06-670: David Meacham**, 662 Bertolet Mill Road, Oley, Pennsylvania 19547, in Oley Township, **Berks County**, ACOE Philadelphia District

To install and maintain a 2.0-inch diameter sanitary sewer line in and across exceptional value, palustrine forested wetlands temporarily impacting 0.08 acre of wetland for the purpose of replacing an existing malfunctioning septic system. The project is located along

Bertolet Road approximately 0.10 mile southeast of its intersection with Lobachsville Road (Maxatawny, PA Quadrangle; N: 5.88 inches, W: 14.88 inches; Latitude: 40°24'26.6", Longitude: -75°43'57.3") in Pike Township, Berks County. Wetland impacts are temporary and mitigation is not required.

**E67-896: Yorkanna Community Volunteer Fire Company**, 42 Main Street, Yorkanna, Pennsylvania 17406, in Lower Windsor Township, **York County**, ACOE Baltimore District

To place and maintain fill in 0.098 acre of PEM wetland that is adjacent to an unnamed tributary to Cabin Creek (WWF, MF) for the purpose of improving public safety. The project is located on East Prospect Road, approximately one half mile east of its intersection with Blue Stone Road (Red Lion, PA Quadrangle; N: 5.5 inches, W: 4.75 inches; Latitude: 39°58'19.8", Longitude: -76°34'1.8") in Lower Windsor Township, York County. To compensate for the proposed impacts, the permittee will contribute to the Wetland Replacement Fund.

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-919. Tri-State River Products, Inc.**, Box 218, 334 Insurance Street, Beaver PA 15009, reissue and amend commercial sand and gravel dredging permits in **Allegheny, Armstrong, and Beaver Counties**. The applicant proposes to continue performing commercial sand and gravel dredging in select areas of the Allegheny River (WWF) within Pool 5 (Mile Points 30.4 to 36.3) (Starting at Freeport, PA Quadrangle N: 10.6 inches; W: 5.8 inches and ending at Leechburg, PA Quadrangle N: 16.6 inches; W: 11.0 inches) (Starting Latitude 40° 41'02"N—Longitude 79° 40'00"; ending Latitude 40° 42'58" N—Longitude 79° 34'44" W), and in the Ohio River (WWF) within the Dashields, Montgomery and New Cumberland Pools (Mile Points 6.2 to 40.0) (Starting at Emsworth, PA Quadrangle N: 0.6 inches; W: 12.4 inches, and ending at East Liverpool North, OH-PA-WV Quadrangles N: 2.3 inches; W: 2.6 inches) (Starting Latitude 40° 30'10"N—Longitude 80° 05'21"; ending Latitude 40° 38'15" N—Longitude 80° 31'08" W), subject to review of Fish and Mussel Surveys and Prescribed setback in Allegheny, Armstrong, and Beaver Counties.

**E02-584. Hanson Aggregates PMA, Inc.**, 2200 Springfield Pike, Connellsville, Pa. 15425, reissue and amend commercial sand and gravel dredging permits in **Allegheny, Armstrong, and Beaver Counties**. The applicant proposes to continue performing commercial sand and gravel dredging in select areas of the Allegheny River (WWF) within Pool 5 (Mile Points 30.4 to 36.3) (Starting at Freeport, PA Quadrangle N: 10.6 inches; W: 5.8 inches and ending at Leechburg, PA Quadrangle N: 16.6 inches; W: 11.0 inches) (Starting Latitude 40° 41'02"N—Longitude 79° 40'00"; ending Latitude 40° 42'58" N—Longitude 79° 34'44" W), and in the Ohio River (WWF) within the Dashields, Montgomery and New Cumberland Pools (Mile Points 6.2 to 40.0) (Starting at Emsworth, PA Quadrangle N: 0.6 inches; W: 12.4 inches, and ending at East Liverpool North, OH-PA-WV Quadrangles N: 2.3 inches; W: 2.6 inches) (Starting Latitude 40° 30'10"N—Longitude 80° 05'21"; ending Latitude 40° 38'15" N—Longitude 80° 31'08" W), subject to review of Fish and Mussel Surveys and Prescribed setback in Allegheny, Armstrong, and Beaver Counties.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO 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 Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northcentral Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX11-105-0010  
Applicant Name Pennsylvania General Energy Company, LLC  
Contact Person Amber Oyler  
Address 120 Market Street  
City, State, Zip Warren, PA 16365  
County Potter County  
Township(s) Keating Township  
Receiving Stream(s) and Classification(s) UNT to Healey Hollow and Healy Hollow, UNT to Right Fork of Reed Run;  
Secondary: Brown Hollow and Right Fork of Reed Run

ESCGP-1 # ESX11-081-0160  
Applicant Name Anadarko Marcellus Midstream, LLC  
Contact Person Nathan Bennett  
Address 33 W. 3rd Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Cummings Township  
Receiving Stream(s) and Classification(s) Ramsey Run (HQ-CWF, MF);  
Secondary: Pine Creek (HQ-TSF, MF)

ESCGP-1 # ESX11-015-0284  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Bradford and Wyoming Counties  
Township(s) Terry, Wilmot and Windham Townships  
Receiving Stream(s) and Classification(s) UNT to Susquehanna River, UNT to Roaring Branch, UNT to Foster Branch, UNT to Sugar Run, Sugar Run, Sugar Run Creek, Rocky Forest Creek and UNT to Rocky

Forest Creek—(CWF, MF); Foster Branch and UNT to Panther Lick—(CWF, MF), Naturally Reproducing Trout Stream

ESCGP-1 # ESX10-015-0267 (01)  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Tracy Gregory  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Columbia and Wells Townships  
Receiving Stream(s) and Classification(s) Mill Creek (TSF, MF);  
Secondary: Tioga River

ESCGP-1 # ESX11-081-0051 (02)  
Applicant Name Seneca Resources Corporation  
Contact Person Michael Clinger  
Address 51 Zents Boulevard  
City, State, Zip Brookville, PA 15825  
County Lycoming County  
Township(s) Lewis Township  
Receiving Stream(s) and Classification(s) Lycoming Creek, Grays Run; CWF, MF (Designated), EV, MF (Existing Use)  
Secondary: West Branch Susquehanna River

ESCGP-1 # ESX11-115-0158  
Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City, State, Zip Coraopolis, PA 15108-4310  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) Pond Brook and Monroe Creek/ Upper Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX11-015-0305  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Brown 152 to Uhouse 081 Pipeline  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Orwell Township  
Receiving Stream(s) and Classification(s) Trout Stream and Tributaries to Trout Stream (CWF);  
Secondary: Wysox Creek

ESCGP-1 # ESX11-027-0010  
Applicant Name Anadarko E&P Company, LP  
Contact Person Nathan Bennett  
Address 33 W. 3rd Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Centre County  
Township(s) Rush Township  
Receiving Stream(s) and Classification(s) UNT to Six Mile Run & Six Mile Run (HQ-CWF, MF);  
Secondary: Six Mile Run (HQ-CWF, MF); Moshannon Creek (TSF, MF)

ESCGP-1 # ESX11-015-0306  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Bradford County  
Township(s) Herrick Township  
Receiving Stream(s) and Classification(s) UNT to Cold Creek (WWF);  
Secondary: Wyalusing Creek (WWF)



## ESCGP-1 # ESX11-081-0162

Applicant Name EXCO Resources (PA), LLC  
 Contact Person Larry Sanders  
 Address 3000 Ericsson Drive, Suite 200  
 City, State, Zip Warrendale, PA 15086  
 County Lycoming County  
 Township(s) Penn Township  
 Receiving Stream(s) and Classification(s) Greg's Run  
 (CWF);  
 Secondary: West Branch Susquehanna River (WWF,  
 MF)

## ESCGP-1 # ESX11-081-0013—Phase 2

Applicant Name Anadarko E&P Company, LP  
 Contact Person Nathan Bennett  
 Address 33 W. 3rd Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cummings Township  
 Receiving Stream(s) and Classification(s) UNT to Little  
 Pine Creek & UNT to Carson Run (both EV, MF);  
 Secondary: Little Pine Creek (TSF, MF) & Carson Run  
 (EV, MF)

## ESCGP-1 # ESX11-015-0294

Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Orwell and Pike Townships  
 Receiving Stream(s) and Classification(s) CWF, MF:  
 Tributaries 30174 and 30176 to Trout Stream; Tribu-  
 taries 30073 and 30075 to Jerome Creek; Jerome  
 Creek; Tributaries 30098 and 30100 to Beaver Creek;  
 Beaver Creek; Tributaries 30088, 30091, 30096, 30098  
 30102 and 30105 to Johnson Creek; Johnson Creek;  
 Tributary 30170 to Wysox Creek

## ESCGP-1 # ESX11-117-0142

Applicant Name SWEPI LP  
 Contact Person H. James Sewell  
 Address 190 Thorn Hill Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga County  
 Township(s) Liberty Township  
 Receiving Stream(s) and Classification(s) Brion Creek,  
 Salt Spring Run (both EV, MF)

## ESCGP-1 # ESX11-115-0172

Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Moon Township, PA 15108-4310  
 County Susquehanna County  
 Township(s) Franklin Township  
 Receiving Stream(s) and Classification(s) Thomas, North  
 Branch of Meshoppen and Meshoppen Creeks, includ-  
 ing UNT to those creeks; Tunkhannock Watershed

## ESCGP-1 # ESX11-115-0184

Applicant Name Williams Marcellus Gathering LLC  
 Contact Person David Freudenrich  
 Address 1000 Town Center Suite 130  
 City, State, Zip Canonsburg, PA 15317  
 County Susquehanna County  
 Township(s) Springville Township  
 Receiving Stream(s) and Classification(s) UNT to Snake  
 Creek, Snake Creek;  
 Secondary: Susquehanna River

## ESCGP-1 # ESX11-115-0157

Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Susquehanna County  
 Township(s) Rush Township  
 Receiving Stream(s) and Classification(s) Deer Lick  
 Creek, UNT to Deer Lick Creek (both CWF), UNT to  
 Wyalusing Creek (WWF) Wysox-Wyalusing Creeks Wa-  
 tershed;  
 Secondary: Wyalusing Creek (WWF)

## ESCGP-1 # ESX11-081-0019 (03)

Applicant Name Anadarko Marcellus Midstream LLC  
 Contact Person Nathan S. Bennett  
 Address 33 W. 3rd Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Mifflin, Cogan House, and Lewis Townships  
 Receiving Stream(s) and Classification(s) UNT to Lick  
 Run (HQ-CWF), UNT to Larry's Creek, Larry's Creek,  
 UNT to Mash Run, Second Fork Larry's Creek, UNT to  
 Wolf Run, Wolf Run, Wendell Run (EV)

## ESCGP-1 # ESX11-115-0105 (01)

Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Moon Township, PA 15108-4310  
 County Susquehanna County  
 Township(s) Lenox Township  
 Receiving Stream(s) and Classification(s) Tributary to  
 Tower Branch Creek/Tunkhannock Creek Watershed

## ESCGP-1 # ESX11-115-0166

Applicant Name Cabot Oil & Gas Corporation  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Lathrop Township  
 Receiving Stream(s) and Classification(s) Field Brook;  
 Secondary: Tunkhannock Creek

## ESCGP-1 # ESX11-015-0310

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford County  
 Township(s) Standing Stone Township  
 Receiving Stream(s) and Classification(s) UNT of King  
 Creek (WWF);  
 Secondary: King Creek, Susquehanna River (both  
 WWF)

## ESCGP-1 # ESX11-015-0311

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford County  
 Township(s) Wilmot Township  
 Receiving Stream(s) and Classification(s) UNT to Rock  
 Cabin Run, Tributary to Sugar Run Creek (CWF) and  
 UNT to Panther Lick Creek, Tributary to Sugar Run  
 Creek (CWF);  
 Secondary: Sugar Run Creek (CWF)

## ESCGP-1 # ESG11-015-0265

Applicant Name Chief Gathering, LLC  
 Contact Person Ted Wurfel



Address 6051 Wallace Road, Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Bradford County  
 Township(s) Towanda Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Towanda Creek (CWF, MF) and UNT to French Run  
 (CWF, MF)

ESCGP-1 # ESX11-117-0140  
 Applicant Name SWEPI LP  
 Contact Person H. James Sewell  
 Address 190 Thorn Hill Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga County  
 Township(s) Sullivan Township  
 Receiving Stream(s) and Classification(s) UNT to Elk  
 Run/Susquehanna River Basin in PA—Tioga River  
 (List H);  
 Secondary: Elk Run/Susquehanna River Basin in PA—  
 Tioga River (List H)

ESCGP-1 # ESX11-015-0144 (01)  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Pike and Warren Townships  
 Receiving Stream(s) and Classification(s) Ross Creek  
 WWF-MF, Gaylord Creek CWF-MF, Southwick Creek  
 CWF-MF, Wappasening Creek CWF-MF

ESCGP-1 # ESX11-115-0187  
 Applicant Name Southwestern Energy Production  
 Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657

County Susquehanna County  
 Township(s) Brooklyn and Harford Townships  
 Receiving Stream(s) and Classification(s) Martin's Creek  
 (CWF-MF)

*Northwest Region: Oil and Gas Program Manager, 230  
 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX11-047-0037—HM9 WT 3255 PAT  
 Applicant Hunt Marcellus Operating Company, LLC  
 Contact Mr. Mark Wagley  
 Address 106 N. Michael Street, Suite 3  
 City St Marys State PA Zip Code 15857  
 County Elk Township(s) Ridgway and Jones Townships(s)  
 Receiving Stream(s) and Classification(s) Silver Creek  
 HQ-CWF, Little Mill Creek HQ-CWF

ESCGP-1 #ESX11-019-0114—James L Kennedy et ux 1H  
 2H  
 Applicant XTO Energy Inc.  
 Contact Melissa Breitenbach  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Middlesex(s)  
 Receiving Stream(s) and Classification(s) UNT of Glade  
 Run—WWF, Glade Run—WWF, Connoquenessing  
 Creek—WWF

ESCGP-1 #ESX11-019-0112—James L Kennedy et ux  
 Fresh Water Impoundments  
 Applicant XTO Energy Inc.  
 Contact Melissa Breitenbach  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Middlesex(s)  
 Receiving Stream(s) and Classification(s) UNT of Glade  
 Run—WWF, Glade Run—WWF, Connoquenessing  
 Creek—WWF

**STORAGE TANKS**

**SITE-SPECTIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12-41-005	MAXUM Petroleum, Inc.— East Region 500 River East Drive Belle, WV 25015 Attn: Walter D. Hanson	Lycoming	Fairfield Township	16 ASTs storing petroleum products	172,000 gallons total

**SPECIAL NOTICES**

**General NPDES Permit for Stormwater Discharges Associated with Construction Activities**

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**PAG-2-2756-11-001, Ridge Energy Company**, 265 Swamp Road, Clymer, PA 15728. General NPDES Permit for Stormwater Discharges Associated with Construction Activities on GFCC Permit No. 56-10-01 in Conemaugh Township, **Cambria County**. Receiving streams: Unnamed tributary to Quemahoning Creek classified for the following uses: cold water fishery. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: September 2, 2011. Coverage Approved January 4, 2012.

[Pa.B. Doc. No. 12-90. Filed for public inspection January 20, 2012, 9:00 a.m.]

## Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

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

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department 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 questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

### *Draft Technical Guidance*

DEP ID: 550-2100-008. Title: Policy for Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (E&S General Permit for Oil and Gas Activities). Description: The Department announces the availability of draft technical guidance for implementation of 25 Pa. Code Chapter 102 (relating to erosion and sediment control) requirements for earth disturbance activities associated with Oil and Gas Industries. There are significant gas exploration and extraction activities occurring in this Commonwealth within the Marcellus Shale formation and other formations. This document has been updated to address regulatory changes and significant changes in the scope and type of oil and gas activities occurring in this Commonwealth. It is intended to facilitate consistent implementation of Chapter 102 requirements for earth disturbance activities associated with Oil and Gas Industries. Contact: Questions regarding the draft technical guidance can be directed to Joseph Adams, Environmental Engineer, Office of Oil and Gas Management at [josepadams@pa.gov](mailto:josepadams@pa.gov) or (717) 772-2198. Written Comments: Interested persons may submit written comments on this draft technical guidance document for a period of 60 days after publication as draft in the *Pennsylvania Bulletin*. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Joseph Adams, Department of Environmental Protection, Office of Oil and Gas Management, P. O. Box 8765, Harrisburg, PA 17105-8765 or [josepadams@pa.gov](mailto:josepadams@pa.gov).

*Effective Date:* This draft technical guidance will be effective upon publication as final in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-91. Filed for public inspection January 20, 2012, 9:00 a.m.]

## **Modification to General Permit BWQP-GP-15: Private Residential Construction in Wetlands and 401 Water Quality Certification for Consistency with the Pennsylvania State Programmatic General Permit 4 (PASPGP-4)**

The Department of Environmental Protection (Department), under the authority of section 7 of the Dam Safety and Encroachments Act (32 P.S. § 693.7) and 25 Pa. Code Chapter 105, Subchapter L (relating to general permits), modified General Permit BWQP-GP-15 which allows the placement and maintenance of fill in, or the excavation of, wetlands for the construction of a private residence, driveway, storage shed and utilities, on residential lots within established subdivisions where these activities do not impact greater than 0.50 acre of wetland. The General Permit BDWW-GP-15 was initially published in final-form at 26 Pa.B. 526 (February 3, 1996) and the Department issued a modified BDWW-GP-15, renamed BWQP-GP-15, at 27 Pa.B. 1195 (March 8, 1997).

The modifications are minor and are meant to provide consistency with the Pennsylvania State Programmatic General Permit 4 (PASPGP-4). On June 3, 2011, the Army Corps of Engineers (Corps) published Special Public Notice-11-44, issuing the PASPGP-4 for a 5-year period with an effective date of July 1, 2011. The Department published Water Quality Certification under section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341) and a determination of Coastal Zone Management Consistency under section 307 of the Coastal Zone Management Act of 1972 (33 U.S.C.A. § 1456) for PASPGP-4 at 41 Pa.B. 3938 (July 16, 2011).

Prior to the development and issuance of PASPGP-4, applicants seeking to perform activities authorized under BWQP-GP-15 would register use of BWQP-GP-15 with the Department regional office and then seek Corps authorization separately. BWQP-GP-15 is eligible for PASPGP-4 and therefore continues a streamlined process for permit applicants without compromising comprehensive environmental protection. The modifications are limited to the registration process which removes reference to separate Corps authorization and a separate registration form and incorporates BWQP-GP-15 into the same registration process as the other Chapter 105 General Permits.

The Department published the draft BWQP-GP-15 for public comment at 41 Pa.B. 4257 (August 6, 2011). No comments were submitted to the Department during the 60-day public comment period, which concluded on October 7, 2011, therefore, the Department made no additional changes and provides public notice that a modified BWQP-GP-15, renamed BWM-GP-15, is effective upon February 21, 2012.

### *401 Water Quality Certification*

The projects covered by the modified BWM-GP-15 may also require a Federal license or permit. Section 401(a) of

the Federal Clean Water Act requires that any applicant for a Federal license or permit to conduct any activity which may result in any discharge into the waters of the United States provide the Federal licensing or result in any discharge into the waters of the United States provide the Federal licensing or permitting agency a certificate from the state in which the discharge will originate that the discharge will comply with applicable provisions of The Clean Water Act as well as applicable state law related to water quality protection.

The Department, by this notice, certifies that the construction, operation, maintenance and removal of any encroachment or water obstruction as proposed in the modified BWM-GP-15 complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Department further certifies that the construction, operation, maintenance and removal of the projects comply with applicable state laws related to water quality protection and standards provided that the construction, operation and maintenance complies with the criteria and conditions of the permit.

This certification is further subject to the following conditions:

1. Prior to beginning any activity covered by the General Permit, the applicant must obtain all other necessary permits or approvals from the Department, including, but not limited to, those required by The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P.S. §§ 6018.101—6018.1003) and the regulation promulgated thereunder including 25 Pa. Code Chapters 91, 92a, 93, 96, 102 and 105.

2. Fill material cannot contain wastes as defined in the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

A copy of the modified BWM-GP-15 may be obtained by contacting the Department of Environmental Protection, Bureau of Waterways Engineering and Wetlands, Division of Wetlands, Encroachments and Training, P. O. Box 8460, Harrisburg, PA 17105-8460. Persons with a disability may obtain these documents by contacting the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). A copy of the modified BWM-GP-15 is also available on the Department's web site: [www.depweb.state.pa.us](http://www.depweb.state.pa.us), Select: Licensing, Permits and Certification; then Select: Program-Specific Permit/Authorization Packages; then Select: Water Management; then Select: Water Obstruction and Encroachment and Wetlands; and then Select: General Permits, then navigate to the folder for the GP-15 General Permit.

MICHAEL L. KRANCER,  
Secretary

[Pa.B. Doc. No. 12-92. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Nutrient Credit Trading Program; Actions

The Department of Environmental Protection (Department) provides notice of the following action under the Nutrient Credit Trading Program (Trading Program). This action was taken under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution

reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient trading is a market-based program that provides incentives for entities to create nutrient reduction credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System permittees to meet their effluent limits for nutrients.

Persons aggrieved by an 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 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 should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

For further information about this action or the Trading Program, contact Karen Price, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, [kprice@pa.gov](mailto:kprice@pa.gov) or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Nutrient Trading").

The following certification request has been approved by the Department. The approval of this request is considered a final action of the Department.

**Mercuria Energy America, Inc. on behalf of Granville Township Permit Number PA0032051** (100 Helen Street Lewistown, PA 17044). This approval is applicable to nitrogen and phosphorus reduction credits to be generated from the pollutant reduction activity of the Granville Township Wastewater Treatment Facility's installed treatment process. This approval includes a verification plan and authorizes the generation of 7,300 nitrogen reduction credits and 600 phosphorus credits. This certification of annual credits is valid until September 30, 2016, as long as the pollution reduction activity is implemented, maintained and verified under the terms and conditions contained in the certification. After September 30, 2016, credits for the pollution reduction activity may only be generated if recertification, which will be based on the program requirements in place on the date of the recertification submission, is obtained.



Notice of the certification request was published for comment at 41 Pa.B. 6450 (December 3, 2011).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-93. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Nutrient Credit Trading Program; Notice of Certification Request

The Department of Environmental Protection (Department) provides notice of the following certification request that has been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient trading is a market-based program that provides incentives for entities to create nutrient reduction credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients.

The information described in this notice relates to a certification request submitted from December 6, 2011, through January 3, 2012.

#### *Background*

Before a credit can be used by an NPDES permittee, a three-step process is followed: (1) the certification request

must be approved; (2) generation of the credits must be verified; and (3) the credits must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of a pollutant reduction activity to generate credits. Certifications are based on at least: (1) a written request describing the qualifying pollutant reduction activity that will reduce the pollutant loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying pollutant reduction activity has taken place.

Once the credits are certified, they must be verified to be applied toward an NPDES permit for compliance with effluent limits. Verification means implementation of the verification plan contained in the certification. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying pollutant reduction activity has taken place for the applicable compliance year.

The credits also need to be registered by the Department before they can be applied toward an NPDES permit for compliance with effluent limits. Registration occurs only after credits have been certified, verified and a contract has been submitted. The Department registers credits for use during the compliance year in which the qualifying pollutant reduction activity has taken place. The Department provides registered credits with an annual registry number for reporting and tracking purposes.

#### *Certification Request*

The following request is being reviewed by the Department. The Department will accept written comments on this proposed pollutant reduction activity for 30 days.

#### *Applicant*

TeamAg, Inc. on behalf of Joe Esh and in coordination with Lancaster Farmland Trust

#### *Pollution Reduction Activity Description*

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of no-till planted corn and conservation till cover crop plantings.

#### *Written Comments*

Interested persons may submit written comment on this proposed pollutant reduction activity by February 20, 2012. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Karen Price, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, kprice@pa.gov.

For further information about this certification request or the Trading Program contact Karen Price, at the previously listed address or phone number or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-94. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Public Notice of the Availability of Administrative Documents for Draft Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2) for Public Comment

The Department of Environmental Protection (Department) by this notice informs the public of the availability of the administrative documents for the Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2) for public comment. The public comment period for these documents will be open for 60 days.

The documents available for public comment are listed as follows:

- Instructions for a Notice of Intent (NOI) for Coverage Under the Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas



Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2). Document Number 5500-PM-OOGM-0005

• NOI for Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2). Document Number 5500-PM-OOGM-0005

• NOI Administrative Completeness Checklist for Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2). Document Number 5500-PM-OOGM-0005

Documents can be found on the Department’s eLibrary at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us), select Permit and Authorization Packages, then Oil and Gas and then Draft General Permits.

Interested persons may submit written comments on this draft permit for a period of 60 days after publication in the *Pennsylvania Bulletin*. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Joseph Adams, Department of Environmental Protection, Office of Oil and Gas Management, P. O. Box 8765, Harrisburg, PA 17105-8765 or [josepadams@pa.gov](mailto:josepadams@pa.gov).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-95. Filed for public inspection January 20, 2012, 9:00 a.m.]

**Public Notice of the Availability of Draft Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2) for Public Comment**

Under 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 informs the public of the availability of the Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2) for public comment. The public comment period for this General Permit will be open for 60 days.

This General Permit is intended to provide coverage under The Clean Streams Law to operators who conduct earth disturbance associate with oil and gas exploration, production, processing or treatment operations or transmission facilities where the total disturbance of the project is 5 acres or greater.

The complete text of the draft permit follows.

Interested persons may submit written comments on this draft permit for a period of 60 days. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail

transmission. Written comments should be submitted to Joseph Adams at [josepadams@pa.gov](mailto:josepadams@pa.gov) or mail to Department of Environmental Protection, Office of Oil and Gas Planning and Program Management, P. O. Box 8765, Harrisburg, PA 17105-8765.

MICHAEL L. KRANCER,  
*Secretary*

**AUTHORIZATION OF COVERAGE UNDER THE EROSION AND SEDIMENT CONTROL GENERAL PERMIT FOR EARTH DISTURBANCE ASSOCIATED WITH OIL AND GAS EXPLORATION, PRODUCTION, PROCESSING, OR TREATMENT OPERATIONS OR TRANSMISSION FACILITIES**

**ESCGP-2**

**AUTHORIZATION NUMBER:** \_\_\_\_\_

Project Name & Location	Permittee Name & Address
_____	_____
_____	_____
_____	_____
_____	_____

In compliance with the provisions of Pennsylvania’s Clean Streams Law, as amended, 35 P. S. Section 691.1 et seq., the Oil and Gas Act 58 P. S. §§ 601.101 et seq. and regulations promulgated thereto, including 25 Pa. Code Chapters 78, 93 and 102, 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) hereby authorizes the Notice of Intent (NOI) submitted for coverage to conduct oil and gas activities that involve 5 acres (2 hectares) or more of earth disturbance over the life of the project at the above named location(s):

\_\_\_\_\_

subject to the Department’s enclosed ESCGP-2 which incorporates all requirements and conditions. Authorization to conduct oil and gas activities is subject to the implementation of the plans and additional associated information submitted as part of the NOI.

This authorization is granted to conduct oil and gas activities using erosion and sediment control and stormwater management best management practices (BMPs) within the project indicated above and in compliance with all representations set forth in your application and its supporting documents and permit conditions attached hereto.

Earth disturbance activities conducted in accordance with the terms and conditions herein may commence on the date of the authorization of permit coverage. This authorization is valid for a period of five years when activities are conducted pursuant to such terms and conditions. The Department may terminate this authorization prior to the expiration date upon notice. No condition of this permit shall release the permittee(s) from any responsibility or requirement under Pennsylvania’s statutes or regulations or local ordinances.

AUTHORIZATION DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

AUTHORIZED BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

**EROSION AND SEDIMENT CONTROL GENERAL PERMIT FOR EARTH DISTURBANCE ASSOCIATED WITH OIL AND GAS EXPLORATION, PRODUCTION, PROCESSING, OR TREATMENT OPERATIONS OR TRANSMISSION FACILITIES**

**ESCGP-2 (2012 Amendment)**

This permit applies to oil and gas activities that disturb equal to or greater than 5 acres, or an earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves equal to or greater than 5 acres of earth disturbance.

This permit does not apply to timber harvesting activities, and road maintenance activities.

**1. AUTHORITY**

a. ESCGP-2 is authorized by the Clean Streams Law, 35 P. S. Section 691.1 *et seq.*, the Oil and Gas Act 58 P. S. §§ 601.101 *et seq.* and regulations promulgated thereto, including, 25 Pa. Code Chapters 78, 93 and 102 regulations promulgated thereto, 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,

b. 25 Pa. Code § 102.5(m)(1) allows for the issuance of general permits on a regional or Statewide basis or limited to specific watersheds, particular categories of streams or designated geographic regions, for a category of activities not subject to the NPDES requirements, but regulated under Chapter 102, provided that (1) the projects in the category are similar in nature; (2) the projects in the category can be adequately regulated utilizing standardized specifications and conditions, including reference to specific criteria and requirements adopted by another Federal or State agency which adequately regulate the particular category of activities; (3) the projects which are in the category and meet the specifications and conditions will comply with Chapter 102; (4) the projects which are in the category in the opinion of the Department are more appropriately controlled under a general permit than under individual permits; and (5) the projects which are in the category individually and cumulatively do not have potential to cause significant adverse environmental impact. ESCGP-2 is an Erosion and Sediment Control (E&S) Permit under Chapter 102 and is issued pursuant to Section 102.5(m).

c. 25 Pa Code § 102.5(c) provides: "A person proposing oil and gas activities that involve 5 acres (2 hectares) or more of earth disturbance over the life of the project shall obtain an E&S Permit under this chapter prior to commencing the earth disturbance activity." Earth disturbance activities authorized by this permit must comply with all the terms, conditions, and processing procedures identified in this ESCGP-2.

**2. DEFINITIONS**

The following terms are defined for the purposes of ESCGP-2:

**ABACT—Antidegradation Best Available Combination of Technologies—**Environmentally sound and cost effective treatment, land disposal, pollution prevention and stormwater reuse BMPs that individually or collectively manage the difference in the net change in stormwater volume, rate, and quality for storm events up to and including the 2-year/24-hour storm when compared to the stormwater rate, volume, and quality prior to the earth disturbance activities to maintain and protect the existing quality of the receiving surface waters of this Commonwealth.

**Accelerated erosion—**The removal of the surface of the land through the combined action of human activities and the natural processes, at a rate greater than would occur because of the natural process alone.

**BMPs—Best Management Practices—**Activities, facilities, measures, planning, or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim and restore the quality of waters, and existing and designated uses of waters of this Commonwealth before, during, and after earth disturbance activities.

**Conservation District—**A Conservation District, as defined in Section 3(c) of the Conservation District Law (3 P. S. § 851(c), as amended) that has the authority under a delegation agreement executed with the Department to administer and enforce all or a portion of the erosion, sediment, and stormwater management program in the Commonwealth of Pennsylvania.

**Co-Permittee/Permittee—**Person(s) identified in this permit as responsible for the discharges of stormwater associated with construction activity who is jointly and individually responsible together with the permittee for compliance with all conditions of this permit and applicable laws.

**Critical stages—**The installation of underground treatment BMPs, structurally engineered BMPs, or other BMPs as deemed appropriate by the Department or the conservation district.

**Department—**The Pennsylvania Department of Environmental Protection ("DEP") of this Commonwealth.

**Earth disturbance activity—**A construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, operation of animal heavy use areas, timber harvesting activities, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials.

**Erosion—**The natural process by which the surface of the land is worn away by water, wind, or chemical action.

**E&S Plan—Erosion and Sediment Control Plan—**A site-specific plan consisting of both drawings and a narrative that identifies BMPs to minimize accelerated erosion and sedimentation before, during, and after earth disturbance activities.

**Floodplain—**The lands adjoining a river or stream that have been or may be expected to be inundated by flood waters in a 100-year frequency flood. Unless otherwise specified, the boundary of the floodplain is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodplain, it is assumed absent evidence to the contrary, that the floodplain extends from (1) any perennial stream to 100 feet horizontally from the top of the bank, and (2) from any intermittent stream to 50 feet horizontally from the top of the bank of such intermittent stream.

**Floodway—**The channel of the watercourse and portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the Floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed, absent evidence to

the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream. See 25 Pa. Code § 105.1

**Licensed professional**—Professional engineers, landscape architects, geologists and land surveyors licensed to practice in the Commonwealth.

**Long-term operation and maintenance**—The routine inspection, maintenance, repairs, or replacements, of a BMP to ensure proper function for the duration of time that the BMP is needed.

**Municipality**—A county, city, borough, town, township, school district, institution or authority or another public body created by or pursuant to State Law. For the purposes of this definition, town includes an incorporated town.

**NOI**—Notice of Intent—A request, on a form provided by the Department, for coverage under an erosion and sedimentation control general permit for earth disturbances associated with oil and gas exploration, production, processing or treatment operations or transmission facilities.

**NOT**—Notice of Termination—A request, on a form provided by the Department, to terminate coverage under an erosion and sedimentation control general permit for earth disturbances associated with oil and gas exploration, production, processing or treatment operations or transmission facilities.

**Nondischarge alternative**—Environmentally sound and cost effective BMPs that individually or collectively eliminate the net change in stormwater volume, rate and quality for stormwater events up to and including the 2-year/24-hour storm when compared to the stormwater rate, volume and quality prior to the earth disturbance activities to maintain and protect the existing quality of the receiving surface waters of this Commonwealth.

**Oil and gas activities**—Earth disturbance associated with oil and gas exploration, production, processing or treatment operations or transmission facilities.

**Operator**—A person who has one or more of the following:

(i) Oversight responsibility of earth disturbance activity on a project site or a portion thereof, who has the ability to make modifications to the E&S Plan, PCSM Plan, or site specifications.

(ii) Day-to-day operational control over earth disturbance activity on a project site or a portion thereof to ensure compliance with the E&S Plan or PCSM plan.

**Owner**—A person or persons who hold legal title to the land subject to construction activity. This term also includes the person(s) who held legal title to the land subject to construction activity at the time such activity was commenced on a site.

**PCSM Plan**—Post Construction Stormwater Management Plan—A site-specific plan consisting of both drawings and a narrative that identifies BMPs to manage changes in stormwater runoff volume, rate, and water quality after earth disturbance activities have ended and the project site is permanently stabilized.

**Permanent stabilization**—Long-term protection of soil and water resources from accelerated erosion.

**Person**—Any operator, individual, public or private corporation, partnership, association, municipality or political subdivision of this Commonwealth, institution, authority, firm, trust, estate, receiver, guardian, personal

representative, successor, joint venture, joint stock company, fiduciary; Department agency or instrumentality of State, Federal or local government, or an agent or employee thereof; or any other legal entity. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment or both, the term “person” shall not exclude the members of an association and the directors, officers, or agents of a corporation.

**Point Source**—Any discernable, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, Concentrated Animal Feeding Operation, landfill leachate collection system, or vessel or other floating craft, from which pollutants are or may be discharged.

**Post construction stormwater**—Stormwater associated with a project site after the earth disturbance activity has been completed and the project site is permanently stabilized.

**PPC Plan**—A written plan that identifies an emergency response program, material and waste inventory, spill and leak prevention and response, inspection program, house-keeping program, security and external factors, and that is developed and implemented at the construction site to control potential discharges of pollutants other than sediment into waters of this Commonwealth.

**Project site**—The entire area of activity, development, lease or sale including:

- (i) The area of the earth disturbance activity.
- (ii) The area planned for the earth disturbance activity.
- (iii) Other areas which are not subject to earth disturbance activity.

**Riparian buffer**—A BMP that is an area of permanent vegetation along surface waters.

**Riparian forest buffer**—A type of riparian buffer that consists of permanent vegetation that is predominantly native trees, shrubs and forbs along surface waters that is maintained in a natural state or sustainably managed to protect and enhance water quality, stabilize stream channels and banks, and separate land use activities from surface waters.

**Road Maintenance Activity**—

(i) Earth disturbance activities within the existing road cross-section or railroad right-of-way including the following:

- (A) Shaping or restabilizing unpaved roads.
- (B) Shoulder grading.
- (C) Slope Stabilization.
- (D) Cutting of existing cut slopes.
- (E) Inlet and endwall cleaning.
- (F) Reshaping and cleaning drainage ditches and swales.
- (G) Pipe cleaning.
- (H) Pipe replacement.
- (I) Support activities incidental to resurfacing activities such as minor vertical adjustment to meet grade of resurfaced area.
- (J) Ballast cleaning.
- (K) Laying additional ballast.



(L) Replacing ballast, ties and rails.

(M) Other similar activities.

(ii) The existing road cross-section consists of the original graded area between the existing toes of fill slopes and tops of cut slopes on either side of the road and any associated drainage features.

**Stabilization**—The proper placing, grading, constructing, reinforcing, lining, and covering of soil, rock, or earth to ensure their resistance to erosion, sliding, or other movement.

**Stormwater**—Runoff from precipitation, snow melt runoff, surface runoff and drainage.

**Surface Waters**—Perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds and constructed wetlands used as part of a wastewater treatment process.

**Transferee**—Person(s) identified through the co-permittee/transferee form as having new responsibility for the discharges of stormwater during construction activities and responsibility for compliance with all conditions of this permit and all applicable laws for discharges of stormwater during the construction activity.

**Waters of this Commonwealth**—Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

**Well Pad**—The area surrounding an oil or gas wellhead that is subject to earth disturbance and that is used or planned for use for the drilling, production or plugging of the well, including associated support activities (such as storage of chemicals, wastewater, drill cutting, and equipment). The well pad does not include roads, pipelines, and facilities for the withdrawal, storage, and conveyance of freshwater.

**Wetlands**—Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

### 3. SCOPE OF ACTIVITIES

a. ESCGP-2 applies to oil and gas activities that involve 5 acres (2 hectares) or more of earth disturbance over the life of the project. ESCGP-2 applies only to activities within the Commonwealth of Pennsylvania. ESCGP-2 does not obviate the need to obtain other Federal, State, or local authorizations required by law. Persons subject to and operating under ESCGP-2 may not commence the earth disturbance activities until receipt of written acknowledgement of coverage under ESCGP-2 from the Department, after Department review and authorization of the NOI and associated E&S and PCSM Plans.

b. ESCGP-2 does not apply to the following activities:

(1) Discharges which contain hazardous pollutants, toxics, or any other substance which—because of its quantity, concentration, or physical, chemical, or infectious characteristics—may cause or contribute to an increase in mortality or morbidity in either an individual or the total

population, or pose a substantial present or future hazard to human health or the environment when discharged into surface waters of this Commonwealth;

(2) Discharges or earthmoving activities which are not, or will not be, in compliance with any of the terms or conditions of this general permit;

(3) Discharges or earthmoving activities for which the responsible party (person) has failed and continues to fail to comply or has shown a lack of ability or intention to comply with a regulation, permit, and schedule of compliance or order issued by the Department or conservation district;

(4) Discharges which do not, or will not, result in compliance with applicable effluent limitations or water quality standards;

(5) Discharges or earthmoving activities which are likely to directly or indirectly adversely affect a State or Federal threatened or endangered species or a species proposed for such designation, or which is likely to destroy or adversely modify the critical habitat of such a species, as identified under the Federal Endangered Species Act of 1973; Title 30, Chapter 75 of the Pa. Fish and Boat Code; Title 17, Chapter 25, Conservation of Wild Plants; and Title 31 Chapter 133 Game Wildlife code.

(6) Discharges which individually or cumulatively have the potential to cause significant adverse environmental impact.

### 4. PERMIT RENEWAL MODIFICATION, TERMINATION, OR REVOCATION AND REISSUANCE

a. The Department will publish a notice of any draft, renewed, or reissued general permit or of any amendments to this general permit in the *Pennsylvania Bulletin*. After a comment period notice, the final, renewed, reissued or amended general permit will be published in the *Pennsylvania Bulletin*. Any person with an unexpired authorization of coverage under the general permit shall be responsible for complying with the final renewed, reissued or amended general permit. Such persons shall be covered by the general permit even if the permittee has not submitted a separate NOI to be covered by such final renewed, reissued or amended general permit.

b. This permit may be modified, suspended, revoked, reissued, or terminated during its term for any of the causes specified in 25 Pa. Code Chapter 102, or to require compliance with updated water quality standards or impaired water listings.

c. The filing of a request by the permittee or co-permittee for a permit or coverage modification, revocation, reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not eliminate any existing permit conditions.

d. Permit modification or revocation will be conducted according to 25 Pa. Code Chapter 102.

### 5. AUTHORITY AND RESPONSIBILITIES OF THE DEPARTMENT OR CONSERVATION DISTRICTS

a. The Department or Conservation District may notify the permittee at any time that the permit terms and conditions are not being met. Upon plan review or site inspection, the Department or Conservation District may require E&S Plan revisions or other appropriate action to ensure compliance with the conditions of this permit.

b. The Department or Conservation District has the right to enter onto the site to conduct inspections, conduct monitoring or require monitoring where necessary in appropriate circumstances such as where a danger of



water pollution or degradation is present, or water pollution or degradation is suspected to be occurring from a construction activity subject to this permit. The permittee and co-permittee shall commence such monitoring upon notification from the Department or Conservation District. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

c. The Department or Conservation District may request copies of records required to be kept by this permit.

d. The Department reserves the rights to modify, suspend, revoke or terminate previous coverage under this permit if the permittee(s) shows a lack of ability or intent to comply with the provisions of the permit, or has exhibited a history of non-compliance with the permit conditions.

e. The Department will review NOIs, including erosion and sediment control plans and post-construction stormwater management/site restoration plans, to ensure that applicants have submitted complete and acceptable applications.

#### 6. NOTICE OF INTENT (NOI) SUBMITTAL

a. Persons proposing to conduct oil and gas activities that disturb equal to or greater than 5 acres, or an earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves equal to or greater than 5 acres of earth disturbance, who wish to be covered by this general permit, must submit an administratively complete and acceptable Notice of Intent (NOI) to the Department or Conservation District.

b. The NOI for coverage under this this permit must include E&S and PCSM Plans developed in accordance with the requirements of 25 Pa. Code Chapter 102.

c. The Department offers an optional expedited permit process to person seeking an ESCGP-2. NOIs for coverage under ESCGP-2 submitted through the expedited permit process which qualify for permit coverage will be provided with an acknowledgement of coverage under the ESCGP-2 within 14 business days from the submission of a complete and accurate NOI. With respect to review of NOIs for ESCGP-2 for oil and gas activities that are not under the expedited process, the Department will establish as its objective to complete its review of complete submissions within 60 calendar days. A person proposing oil and gas activities under ESCGP-2 must obtain written authorization from the Department prior to commencing the earth disturbance activity.

d. The Department offers an optional phased permit process to persons seeking coverage under ESCGP-2. Before initiating any earth disturbance activities on each subsequent phase, the permittee must submit to the Department the information listed on "NOI Administrative Completeness Checklist Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities," Document Number 5500-PM-OG005, for that phase, for review and authorization. The Department will publish a notice in the *Pennsylvania Bulletin* for each subsequent phase.

e. Major modifications to the authorized E&S Plan involving new or additional earth disturbance activity and/or the addition of a point source discharge will require prior authorization by the Department or Conservation District and may require the submittal of a new NOI. All minor modifications to the E&S Plan and PCSM Plan shall be noted on the plan that is available at the

site and initialed by the Department or Conservation District staff. Minor changes to the E&S Plan or the PCSM Plan may include adjustments to BMPs and locations within the permitted boundary to improve environmental performance within the scope of the authorized E&S Plan, change in ownership or address, typographical errors and field adjustments on-site such as the addition or deletion of BMPs to address unforeseen circumstances.

f. Operators conducting oil and gas activities must implement and maintain E&S BMPs and PCSM BMPs and other pollution prevention measures required by this permit to minimize accelerated erosion and sedimentation before, during, and after construction activities.

g. The NOI must be filed in accordance with the detailed instructions specified in the NOI package.

h. NOIs shall include proof of consultation with the Pennsylvania Natural Heritage (PNHP) regarding the presence of a State or Federal threatened or endangered species on the project site. If the Department or Conservation District determines, based on PNHP data or other sources, that the proposed earth disturbance activity may adversely impact the species or critical habitat, it must be resolved with the appropriate agency prior to submitting the NOI. Information on PNHP searches is available through the PA Department of Conservation and Natural Resources, Bureau of Forestry, Ecological Services Section, P. O. Box 8552, Harrisburg, PA 17105-8852, telephone (717) 787-3444 and at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us).

i. If hydric soils including soil map units with hydric inclusions of hydric components or other wetland features are present, a wetland determination must be conducted in accordance with Department procedures. A copy of the wetland determination should be provided to the Department or Conservation District as part of the NOI/application. All wetlands identified must be included on the E&S Plan and PCSM\Site Restoration Plan. Special precautions must be taken to protect wetlands and other water resources identified in the NOI, plans, and other supporting documents.

j. Persons requesting a renewal of coverage under this general permit must submit to the Department or Conservation District an administratively complete and acceptable NOI, at least 60 days prior to the expiration date of the coverage, unless permission has been granted by the Department or Conservation District for submission at a later date. In the event that a timely, administratively complete, and acceptable application for renewal of coverage has been submitted and the Department or Conservation District is unable, through no fault of the permittee, to reissue the authorization for coverage before the expiration date of the authorized coverage, the terms and conditions of the authorized coverage will be automatically continued and will remain fully effective and enforceable pending the issuance or denial of the renewal of coverage, provided the permittee is, and has been, operating in compliance with the terms and conditions of the permit. The permittee shall be responsible for complying with the final renewed, reissued or amended General Permit.

k. No condition of this permit shall release any person from any responsibility or requirements under other Federal or Pennsylvania environmental statutes or regulations or applicable local ordinances.

l. Authorization of coverage under this permit does not authorize well site preparation or well drilling within 100 feet measured horizontally from any stream, spring or

body of water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey or within 100 feet of any wetlands greater than one acre in size. Persons proposing to prepare a well site or drill a well that meets the criteria listed above must request a waiver to the Department in accordance with Section 601.206 of the Oil and Gas Act.

m. The authorization of coverage is granted based, in part, on information provided by the applicant in the NOI. The information provided by the applicant, including all appendices, attachments, plans and supporting documentation, are incorporated by reference as a part of the authorization and are enforceable as a condition of the authorization. If there is any conflict between the permit and the NOI, including any appendices, attachments, plans and other supporting documentation, the more environmentally protective provision applies.

n. The expedited permit process will not be available to person seeking an ESCGP-2 for the following activities:

(1) Projects located in or with the potential to discharge to waters that have a designated or existing use of High Quality or Exceptional Value pursuant at Chapter 93 (relating to water quality standards).

(2) Projects in which the Well Pad will be constructed in or on a floodplain.

(3) Earth disturbance activities on lands that are known to be currently contaminated by the release of regulated substances as defined in Section 103 of The Pennsylvania Land Recycling and Remediation Standards Act (Act 2) (35 P. S. § 6026.103).

o. NOIs for coverage under an this permit which are submitted through the expedited permit process shall be prepared and certified by a licensed professional who has attended up-to-date training provided by the Department's Office of Oil and Gas Management on erosion and sediment control and post construction stormwater management for oil and gas activities. All accompanying erosion and sediment control plans and post-construction stormwater management/site restoration plans shall be sealed by the licensed professional that prepared or supervised the preparation of the application and plans. For such projects, the seal must be placed on each plan drawing and on the cover of the narrative.

p. NOIs for coverage under this permit for projects described in (n) above, shall be prepared and certified by a licensed professional and all accompanying erosion and sediment control plans and post-construction stormwater management/site restoration plans must be sealed by the licensed professional that prepared or supervised the preparation of the application and plans. For such projects, the seal must be placed on each plan drawing and on the cover of the narrative.

## 7. EFFLUENT LIMITATIONS

a. This permit establishes narrative performance based effluent limitations in the form of BMPs identified in E&S Plans, PCSM Plans, and PPC Plans which control the volume, rate and quality of stormwater runoff and associated pollutants from being discharged into surface waters and which replicate preconstruction infiltration and runoff conditions to the maximum extent practicable.

b. Activities covered under this permit must comply with applicable effluent limitations established in 25 Pa. Code Chapters 92a, 93, 96, 102, and 105 and any applicable federal law or regulation.

## 8. MONITORING, INSPECTION, AND REPORTING REQUIREMENTS

a. The permittee and co-permittee(s) must ensure that visual site inspections are conducted weekly, and after each measurable stormwater event throughout the duration of construction and until the receipt and acknowledgement of the NOT by the Department or Conservation District. Inspections should occur within 24 hours of measurable stormwater events. The visual site inspections and reports shall be completed by qualified personnel, trained and experienced in erosion and sediment control, to ascertain that E&S BMPs are properly constructed and maintained to effectively minimize pollution to the waters of this Commonwealth. If the earth disturbance activities authorized by this permit at any time are found to create conditions that cause or threaten to cause pollution to waters of the Commonwealth, the permittee(s) shall immediately implement remedial measures to correct the conditions.

b. The permittee and co-permittee(s) shall prepare a long-term operation and maintenance schedule which provides for inspection of PCSM BMPs, including repair, replacement, or other routine maintenance of the PCSM BMPs to ensure proper function and operation. The program must provide for completion of a written report documenting each inspection and all BMP repair and maintenance activities and how access to the PCSM BMPs will be provided.

c. A licensed professional or a designee shall be present onsite and responsible for the inspection of critical stages of implementation of the authorized PCSM plan. The critical stages may include the installation of underground treatment BMPs, structurally engineered BMPs, or other BMPs as deemed appropriate by the Department or the Conservation District.

d. The Department or Conservation District may require additional monitoring where an increased risk of potential water pollution is present, or water pollution is suspected of occurring from an earth disturbance activity subject to this permit. The permittee(s) shall commence such monitoring upon notification from the Department or the Conservation District.

e. Where E&S, PCSM or PPC BMPs are found to be inoperative or ineffective during an inspection, the permittee and co-permittee(s) shall contact the Department or Conservation District by phone or in person within 24 hours, followed by the submission to the Department for approval of a written report within 5 days of the initial contact. These noncompliance reports shall include the following information:

(1) Any condition on the project site which may endanger public health, safety, or the environment, or involve incidents which cause or threaten pollution;

(2) The period of noncompliance, including exact dates and times and/or anticipated time when the activity will return to compliance;

(3) Steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance;

(4) Purposed measures to correct the noncompliant conditions; and

(5) The date or schedule of dates to implement those purposed measures.

Additionally, when BMPs are found to be inoperative or ineffective, the licensed professional shall be consulted to ensure BMP adequacy, as designed.

## 9. RECORD KEEPING

a. The permittee and co-permittee(s) shall retain records of all monitoring information including copies of all monitoring and inspection reports required by this permit, all monitoring information (including site log book and maintenance records) and records of data used to complete the Notice of Intent for this permit, for a period of three years from the date of the termination of coverage under this permit. This period of retention must be extended during the course of any unresolved compliance, enforcement or litigation regarding discharges exceeding effluent limitations by the permittee or when requested by the Department or Conservation District.

b. Visual inspection monitoring results shall be submitted to the Department or Conservation District upon request.

## 10. DISCHARGES CONSISTENT WITH TERMS AND CONDITIONS OF THE PERMIT

a. The permittee(s) must comply with all terms and conditions of this permit. Any permit non-compliance constitutes a violation of The Clean Streams Law, Oil and Gas Act, 25 Pa. Code Chapters 78, 93 and 102, and is grounds for enforcement action or permit suspension; revocation, modification and reissuance, or denial of a permit. The permittee(s) may be subject to criminal and/or civil penalties for violations of the terms and conditions of this permit under Sections 602 and 605 of The Clean Streams Law, 35 P. S. §§ 691.602 and 691.605 and §§ 503, 505, 506 and 507 of the Oil and Gas Act, P. S. §§ 601.503, 601.505, 601.506 and 601.507.

## 11. DUTY TO PROVIDE INFORMATION

a. The permittee or co-permittee(s) shall furnish to the Department or Conservation District any information that the Department or Conservation District may request to determine whether cause exists for modifying, revoking, reissuing, or terminating this permit or coverage authorized under this permit or to determine compliance with this permit.

b. The permittee or co-permittee shall furnish, upon request, to the Department or Conservation District copies of records required to be kept by this permit.

c. When the permittee or co-permittee becomes aware that they failed to submit any relevant facts or submitted incorrect information in the NOI, E&S Plan, PCSM/Site Restoration Plan, or PPC Plan or in any other report to the Department or Conservation District, the permittee or co-permittee shall within 24 hours of becoming aware of the deficiency submit or correct such facts or information.

d. The permittee or co-permittee shall give seven (7) calendar days advance notice to the Department or Conservation District by either telephone or certified mail of the intent to commence earth disturbance activities. Notification may occur prior to receipt of coverage under this permit.

## 12. SIGNATORY REQUIREMENTS

a. Documents required, submitted, or maintained under this permit shall be submitted with original signatures and be signed in accordance with the following:

(1) NOIs, Transferee/Co-permittee Form, and NOTs.

(a) Corporations: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production, or operating facilities, if authority to sign

documents has been assigned or delegated to the manager in accordance with corporate procedures;

(b) Partnerships or sole proprietorships: a general partner or the proprietor, respectively; or

(c) Municipalities, State, Federal, or other public agencies: either a principal executive officer or ranking elected official such as: (1) the chief executive officer or secretary of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

(2) All reports, plans, documents, and other information required by the permit or requested by the Department or Conservation District shall be signed by a duly authorized representative of the permittee.

(3) If there is a change in the duly authorized representative of the permittee or co-permittee, respectively, the permittee or co-permittee shall notify the Department or Conservation District within 30 days of the change.

## 13. TRANSFER OF OWNERSHIP OR CONTROL

a. This permit is not transferable to any person except after notice and acknowledgment by the Department or Conservation District.

(1) In the event of any pending change in control or ownership of facilities from which the authorized discharges emanate, the permittee or co-permittee shall notify the Department or Conservation District using the form entitled "Application for Transfer of the Erosion and Sediment Control General Permit" of such pending change at least 30 days prior to the change in ownership or control. If the permittee undergoes a name change, the permit must be reissued under the new name. The permittee, however, is not required to submit this form. Instead, permittee must submit a copy of its Department of State filings to the Department.

(2) The transfer application form shall be accompanied by a written agreement between the existing permittee and the new owner or operator stating that the existing permittee shall be liable for violations of the permit up to and until the date of coverage transfer and that the new owner or operator shall be jointly and individually liable for permit violations under the permit from that date on.

(3) After receipt of an administratively complete and acceptable transfer application form, the Department or Conservation District shall notify the existing permittee and the new owner or operator of its decision concerning authorization of the transfer of ownership or control.

(4) All relevant conditions of any prior Departmental permits, decrees or orders issued to the permittee(s) or their predecessor shall be continued in full force and effect unless explicitly superseded by this permit. The provisions of this permit shall apply to the permittee's successors, lessees, heirs, and assigns. Permit ownership and/or responsibilities may be transferred or shared after written notice to, and upon authorization from the Department or Conservation District. The notice shall be provided to the Department or Conservation District at least 30 days prior to the effective date of new ownership or permit responsibility. The transfer does not need to be published in the *PA Bulletin*.

b. For purposes of this permit, operators shall include general contractors. If, prior to conducting oil and gas activities, the owner is the permittee and an operator/general contractor is later identified to become a co-permittee, the owner shall:



(1) Notify the Department or Conservation District by submitting an administratively complete and acceptable Application for Co-Permittee Addition to the Erosion and Sediment Control General Permit (ESCGP-2) Authorization; and

(2) Ensure that monitoring reports and any other information requested under this permit shall reflect all changes to the permittee and the co-permittee name.

c. After receipt of the documentation described in (b) above, the permit will be considered modified by the Department or Conservation District. For the purposes of this permit, this modification is considered to be a minor permit modification.

d. Upon authorization of a change in ownership or control, the existing permittee shall provide a copy of the permit and authorized plans to the new owner and/or co-permittee.

#### 14. OPERATING CONDITIONS

a. Solids, sediments, and other pollutants removed in the course of treatment or control of stormwater shall be disposed in accordance with Federal and State law and regulations in order to prevent any pollutant in such materials from adversely affecting the environment.

b. The permittee and co-permittee(s) are responsible for the design, installation, operation and maintenance of the BMPs identified in the E&S Plan, PCSM\Site Restoration Plan, and PPC Plan.

d. Upon reduction, loss, or failure of any BMP, the permittee and co-permittee shall take immediate action to restore, repair or replace the BMP or provide an alternative BMP(s). These actions should be undertaken to protect, maintain, reclaim and restore waters of the Commonwealth. This requirement is applicable in situations where the BMP is rendered ineffective, whether the cause of source of the reduction, loss or failure is within or beyond the control of the permittee or co-permittee.

e. All building materials and wastes must be removed from the site and recycled or disposed in accordance with the Department's Regulations at 25 Pa. Code Chapters 78, 260, 271, and 287. Procedures which ensure that the proper disposal or recycling of materials associated with or from the project site will be undertaken in an environmentally safe manner and in accordance with Federal and State law and regulations shall be implemented. No waste or material shall be disposed, buried, dumped, or discharged at the site unless it is in accordance with Federal and State law and regulations.

f. The permittee(s) and co-permittee(s) shall contact the plan preparer for clarification of any requirements contained in the Erosion and Sediment Control Plan, Post Construction Stormwater Management Plan, Pollution Prevention and Contingency Plan, or other documents related to this permit. If additional clarification is necessary the permittee or co-permittee shall contact the Department or Conservation District.

g. Discharges of material other than stormwater runoff must be in compliance with an NPDES permit issued for the discharge. Discharge of sewage or industrial waste (other than sediment under this permit) to an E&S BMP is not permitted. The permittee/co permittee may not discharge floating materials, oil grease, scum, foam, sheen, and substances which: produce odor, taste, or turbidity or settle to form deposits in concentrations or amounts sufficient to be, or create a danger of being, inimical to the water uses to be protected or human, animal, plant or aquatic life.

h. Where infiltration BMPs are being utilized, the permittee and co permittee must ensure that soil compaction is avoided or minimized in those areas. If the areas planned for infiltration BMPs are compromised, additional soil testing must be performed to verify that the BMP will perform as planned.

i. Upon final completion of an earth disturbance activity or any stage or phase of an activity the project site shall be immediately stabilized in accordance with the requirements of 25 Pa. Code § 102.22(a). E&S BMPs shall be implemented and maintained until permanent stabilization is completed. Once permanent stabilization has been established the temporary E&S BMPs shall be removed. Any areas disturbed in the act of removing temporary E&S BMPs shall be permanently stabilized upon completion of the temporary E&S BMP removal activity.

j. Upon temporary cessation of the earth disturbance activity, or completion of any stage or phase of an activity where the cessation of earth disturbance will exceed 4 days the project site shall be immediately stabilized in accordance with the requirements of § 102.22(a). E&S BMPs shall be implemented and maintained until permanent stabilization is completed. Once permanent stabilization has been established the temporary E&S BMPs shall be removed. Any areas disturbed in the act of removing temporary E&S BMPs shall be permanently stabilized upon completion of the temporary E&S BMP removal activity.

#### 15. COMPLIANCE RESPONSIBILITIES

a. The permittee and co-permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the Pennsylvania Clean Streams Law and is grounds for enforcement action; for permit termination, revocation, reissuance, or modification; or for denial of a permit or permit renewal.

b. Any person who violates a permit condition, fails to take corrective action to abate violations or falsifies report or other documents may be subject to criminal and/or civil penalties or other appropriate action for violations of the terms and conditions of this general permit under the Clean Streams Law, 35 P. S. §§ 691.602 and 691.605.

c. The permittee or co-permittee may not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

d. This permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

e. The provisions of this permit are severable; and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

f. Pursuant to the Pennsylvania Clean Streams Law 35 P. S. §§ 691.5(b) and 691.305, 25 Pa. Code Chapter 92a, and § 1917-A of the Administrative Code, the permittee and co-permittee shall allow the Director of the Department and/or an authorized representative of the Department, Conservation District or, in the case of a facility which discharges to a municipal separate storm sewer, an authorized representative of the municipal operator or



the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents, as may be required by law, to:

(1) Enter upon the permittee's or co-permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;

(3) Inspect any facilities or equipment (including monitoring and control equipment); and

(4) Observe or sample any discharge of stormwater.

g. Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 2 years or by both. In addition, criminal sanctions are set forth for false swearing and unsworn falsification at 18 Pa.C.S. §§ 4903—4904.

#### 16. EROSION AND SEDIMENT CONTROL PLANS

a. An E&S Plan shall be prepared by a person trained and experienced in erosion and sediment control methods and techniques applicable to the size and scope of the project being designed. Each E&S Plan, including any major modifications, must be submitted to the Department or Conservation District for review and authorization. The BMPs shall be designed and implemented to minimize the potential for accelerated erosion and sedimentation in order to protect, maintain, reclaim, and restore water quality and existing and designated uses, in accordance with 25 Pa. Code § 102.4(b). Best Management Practices for oil and gas activities are listed in the Department's *Erosion and Sediment Pollution Control Manual*, (No. 363-2134-008), the *Water Quality Antidegradation Guidance* (No. 391-0300-002) and the *Stormwater Best Management Practices Manual* (No. 363-0300-002). These documents are available from the Department or Conservation District or can be downloaded from the Department's Web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). The permittee(s) may use BMPs that are not identified in the foregoing manuals if the permittee(s) demonstrates to the Department or Conservation District's satisfaction that the proposed BMPs achieve equivalent or superior environmental protection standards. E&S Plans and BMPs, and revisions thereto, which meet the requirements of 25 Pa. Code Chapters 78, 93, 96, and 102, are conditions of this permit and are incorporated by reference.

b. The staging of earth disturbance activities and maintenance requirements contained in the authorized E&S Plan must be followed.

c. Upon the installation or stabilization of all perimeter sediment control BMPs and at least 3 days prior to proceeding with the bulk earth disturbance activities, the permittee or co-permittee shall provide notification to the Department or conservation district.

#### 17. PREPAREDNESS, PREVENTION AND CONTINGENCY (PPC) PLANS

Under 25 Pa. Code § 102.5(l), a person shall prepare and implement a PPC Plan when storing, using or transporting materials including: fuels, chemicals, sol-

vents, pesticides, fertilizers, lime, petrochemicals, wastewater, wash water, core drilling wastewater, cement, sanitary wastes, solid wastes or hazardous materials onto, on or from the project site during earth disturbance activities. In accordance with 25 PA Code § 78.55, operators of oil and gas wells are required to prepare and implement a control and disposal plan. Operators may meet this regulatory requirement by developing and implementing a site specific PPC Plan. The PPC Plan shall be developed in accordance with Department regulations. The PPC Plan should identify areas which may include, but are not limited to, waste management areas, raw material storage areas, fuel storage areas, temporary and permanent spoils storage areas, maintenance areas, and any other areas that may have the potential to cause noncompliance with the terms and conditions of this permit due to the storage, handling, or disposal of any toxic or hazardous substances such as oil, gasoline, pesticides, herbicides, solvents, etc. BMPs shall be developed and implemented for each identified area. The PPC Plan shall be made available upon the Department's or Conservation Districts' request.

#### 18. POSTCONSTRUCTION STORMWATER MANAGEMENT PLANS/SITE RESTORATION PLANS

a. A PCSM Plan shall be prepared by a person trained and experienced in PCSM design methods and techniques applicable to the size and scope of the project being designed. The management of post construction stormwater shall be planned and conducted in accordance with 25 Pa. Code § 102.8. Various BMPs and their design standards are listed in the *Pennsylvania Stormwater Best Management Practices Manual*, (No. 363-0300-002), as amended and updated. The manual is available from the Department or Conservation District or can be downloaded from the Department's Web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). Each PCSM Plan, including any major modifications, must be submitted to the Department or Conservation District for review and authorization. The PCSM plan must employ stormwater management BMPs to control the volume, rate, and water quality of the post construction stormwater runoff so as to protect and maintain the chemical, physical, biological properties and existing and designated uses of the waters of this Commonwealth.

b. PCSM Plans shall be consistent with any Department authorized Act 167 Stormwater Management Plan which covers the area where the project is proposed.

c. A licensed professional or a designee shall be present onsite and be responsible for oversight of critical stages of implementation of the authorized PCSM plan. The licensed professional will be responsible to provide a final certification, pursuant to 102.8(l) along with the required NOT and record drawings, indicating that the project site was constructed in accordance with the authorized or modified PCSM plan.

d. The portion of a site reclamation or restoration plan that identifies PCSM BMPs to manage stormwater from oil and gas activities permitted in accordance with Chapter 78, pipelines; or other similar utility infrastructure may be used to satisfy the PCSM requirements if the PCSM, reclamation or restoration plan meets the requirements of §§ 102.8(b), (c), (e), (f), (h), (i) and (l), and when applicable, (m).

#### 19. PRECONSTRUCTION CONFERENCES

For earth disturbance activities authorized by this permit, a preconstruction meeting is required, unless the permittee has been notified otherwise in writing by the

Department or Conservation District. The permittee shall invite the Department or Conservation District to attend the preconstruction meeting and provide at least 7 days notice of the preconstruction meeting to all invited attendees. Permittees, co-permittees, operators, and licensed professionals or designees responsible for earth disturbance activity, including implementation of E&S and PCSM plans and critical stages of implementation of the authorized PCSM plan, shall attend the preconstruction meeting. Where notice of a preconstruction meeting has been provided to the Department and the preconstruction meeting is held pursuant to § 102.5(e), but the Department's representations do not attend the scheduled pre-construction meeting, the earth disturbance activities authorized under the permit may proceed.

## 20. LONG-TERM OPERATION AND MAINTENANCE

a. The permittee and co-permittee shall be responsible for long-term operation and maintenance of PCSM BMPs unless a different person is identified in the NOT and has agreed to long-term operation and maintenance of PCSM BMPs.

b. For any property containing a PCSM BMP, the permittee or co-permittee shall record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance for PCSM BMPs and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP is a covenant that runs with the lands that is binding upon and enforceable by subsequent grantees, and provide proof of filing with the NOT under § 102.7(b)(5).

c. For Commonwealth owned property, a covenant that runs with the land is not required until the transfer of the land containing a PCSM BMP occurs. Upon transfer of the Commonwealth-owned property containing the PCSM BMP, the deed must comply with § 102.8(m)(3).

d. The person responsible for performing long-term operation and maintenance may enter into an agreement with another person, including a Conservation District, nonprofit organization, municipality, authority, private corporation or other person, to transfer the responsibility for PCSM BMPs or to perform long-term operation and maintenance and provide notice thereof to the Department.

e. A permittee or co-permittee that fails to transfer long-term operation and maintenance of the PCSM BMPs or otherwise fails to comply with this requirement shall remain jointly and severally responsible with the landowner for long-term operation and maintenance of the PCSM BMPs located on the property.

## 21. VOLUNTARY RIPARIAN FOREST BUFFERS

Persons that protect, convert or establish a new riparian forest buffer that meets the requirements of 102.14(b) may qualify for benefits under §§ 102.14(e)(1) and (2) relating to the antidegradation presumption and trading or offsetting of credits.

## 22. MANDATORY RIPARIAN BUFFERS

Permittees or co-permittees must protect, convert or establish a new riparian forest buffer that meets the requirements of 25 Pa. Code § 102.14 unless otherwise exempted or waived under §§ 102.14(a) or 102.14(d).

## 23. TERMINATION OF COVERAGE

a. Upon permanent stabilization of earth disturbance activity under § 102.22(a)(2) (relating to permanent stabilization) and installation of BMPs in accordance with the authorized plan prepared and implemented in accordance with §§ 102.4 and 102.8 (related to erosion and sediment control requirements; and PCSM requirements), the permittee and/or co-permittee shall submit a NOT to the Department or Conservation District. The NOT must include:

- (1) The facility name, address and location,
- (2) The operator name and address,
- (3) The permit number,
- (4) The reason for the permit termination,
- (5) Identification of the persons who have agreed to and will be responsible for the long term operation and maintenance of PCSM BMPs.

Until the permittee or co-permittee has received written authorization of the NOT, the permittee and co-permittee will remain responsible for compliance with the permit terms and conditions, including long term operation and maintenance of all PCSM BMPs on the project site. The Department or Conservation District will conduct a follow up inspection and approve or deny the NOT within 30 days of receipt unless field conditions such as snow cover prevent inspection.

b. The permittee shall enclose with the NOT "Record Drawings" with a final certification statement from a licensed professional, which reads as follows:

"I (name) do hereby certify pursuant to the penalties of 18 Pa.C.S.A. § 4904 to the best of my knowledge, information, and belief, that the accompanying record drawings accurately reflect the as built conditions, are true and correct, and are in conformance with Chapter 102 of the rules and regulations of the Department of Environmental Protection and that the project site was constructed in accordance with the authorized PCSM plan, all authorized plan changes, and accepted construction practices."

The permittee shall retain a copy of the record drawings as part of the authorized PCSM plan. The permittee shall also provide a copy of the record drawings as part of the authorized PCSM plan to the persons identified as responsible for the long term operation and maintenance of PCSM BMPs. Permittees shall also provide copies of both the record drawings and the long term operation and maintenance plan to the Department, Conservation District and municipality.

[Pa.B. Doc. No. 12-96. Filed for public inspection January 12, 2012, 9:00 a.m.]

# DEPARTMENT OF HEALTH

## Amendments to Charges for Medical Records; Correction

Because of an inadvertent typographical error in the notice published at 41 Pa.B. 6453 (December 3, 2011), the Department of Health (Department) is reprinting the document in its entirety to ensure accuracy of the information contained in this document.

Under 42 Pa.C.S. §§ 6152 and 6155 (relating to subpoena of records; and rights of patients), the Secretary of Health (Secretary) is directed to adjust annually the amounts which may be charged by a health care facility or health care provider upon receipt of a request or subpoena for production of medical charts or records. These charges apply to any request for a copy of a medical chart or record except as follows:

(1) Flat fees (as listed in this notice) apply to amounts that may be charged by a health care facility or health care provider when copying medical charts or records either: (a) for the purpose of supporting any claim or appeal under the Social Security Act or any Federal or State financial needs based program; or (b) for a district attorney.

(2) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in: (a) the Worker's Compensation Act (77 P.S. § 1 et seq.) and the regulations promulgated thereunder; (b) 75 Pa.C.S. Chapter 17 (relating to financial responsibility) and the regulations promulgated thereunder; or (c) a contract between an insurer and any other party.

The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

Under 42 Pa.C.S. § 6152.1 (relating to limit on charges), the Secretary is directed to make a similar adjustment to the flat fee which may be charged by a health care facility or health care provider for the expense of reproducing medical charts or records where the request is: (1) for the purpose of supporting a claim or appeal under the Social Security Act or any Federal or State financial needs based benefit program; or (2) made by a district attorney.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2010, through October 31, 2011, the consumer price index was 3.5%.

Accordingly, the Secretary provides notice that, effective January 1, 2012, the following fees may be charged by a health care facility or health care provider for production of records in response to subpoena or request:

	<i>Not to Exceed</i>
Amount charged per page for pages 1—20	\$1.39
Amount charged per page for pages 21—60	\$1.03
Amount charged per page for pages 61—end	\$ .34
Amount charged per page for microfilm copies	\$2.04
Flat fee for production of records to support any claim under Social Security	\$26.12
Flat fee for supplying records requested by a district attorney	\$20.62
* Search and retrieval of records	\$20.62

In addition to amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

Questions or inquiries concerning this notice should be sent to James T. Steele, Jr., Deputy Chief Counsel, Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact James T. Steele, Jr. at the address or phone number listed previously or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

\**Note:* Federal regulations enacted under the Health Insurance Portability and Accountability Act at 45 CFR Parts 160—164 state that covered entities may charge a reasonable cost based fee that includes only the cost of copying, postage and summarizing the information (if the individual has agreed to receive a summary) when providing individuals access to their medical records. The United States Department of Health and Human Services has stated that the fees may not include costs associated with searching for and retrieving the requested information. For further clarification on this issue, inquiries should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, D.C. 20201, (866) 627-7748, <http://www.hhs.gov/ocr/hipaa>.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-97. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-2.1.3.1 (relating to diagnostic and treatment locations space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or



hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-98. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of DuBois Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DuBois Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2, 3.1-3.2.4 and 3.1-3.2.4.2 (relating to examination and treatment rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-99. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Heritage Valley Beaver for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Heritage Valley Beaver has requested an exception to the requirements of 28 Pa. Code § 137.11 (relating to facilities and equipment).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-100. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Hospital of the University of Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hospital of the University of Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-101. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Hospital of the University of Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hospital of the University of Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which



requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.4.5.1 and 2.2-3.4.5.3 (relating to space requirements; and patient toilet).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-102. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Magee Womens Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Magee Womens Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-2.11.2.6.13(3) (relating to diagnostic testing room adjacent bathroom).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and

Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-103. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Pinnacle Health Hand Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Hand Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.6.6, 3.1-3.6.7, 3.1-3.6.9 and 3.1-6.2.5.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-104. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Pinnacle Health at Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health at Harrisburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.6.2.3 and 2.2-2.6.2.4 (relating to windows; and patient privacy).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-105. Filed for public inspection January 20, 2012, 9:00 a.m.]

### **Application of The Reading Hospital and Medical Center for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Reading Hospital and Medical Center has requested an exception to the requirements of 28 Pa. Code § 115.25 (relating to infant footprints).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-106. Filed for public inspection January 20, 2012, 9:00 a.m.]

### **Application of Riddle Memorial Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riddle Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 107.1 (relating to principle).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-107. Filed for public inspection January 20, 2012, 9:00 a.m.]

### **Application of Sharon Regional Health System for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sharon Regional Health System has requested an exception to the requirements of 28 Pa. Code § 138.2 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-108. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Shriners Hospitals for Children— Erie for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Shriners Hospitals for Children—Erie has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-109. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Shriners Hospitals for Children— Erie for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Shriners Hospitals for Children—Erie has requested an exception to the requirements of 28 Pa. Code § 551.22(1) (relating to criteria for performance of ambulatory surgery on pediatric patients).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-110. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of St. Luke's Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital has requested an exception to the requirements of 28 Pa. Code §§ 105.1 and 107.32 (relating to principle; and meetings and attendance).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-111. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Temple University Hospital North- eastern Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Temple University Hospital Northeastern Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.9-6.1.1 (relating to public and administrative area entrances).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of



Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-112. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of UPMC Hamot for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Hamot has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-2.5.2.2(1) (relating to space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-113. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of Washington Square Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Washington Square Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 567.43 (relating to ventilation system).

This facility has also requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: Table 7.1 (relating to design parameters of ventilation systems).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 12-114. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.3-2.2.2.5 (relating to hand washing station).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of



Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-115. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, January 27, 2012, from 10 a.m. to 2 p.m. The meeting will be held in Conference Room 327, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Carolyn S. Cass, Director, (717) 772-2762, or for speech and/or hearing impaired persons call V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-116. Filed for public inspection January 20, 2012, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these persons and firms, or any firms, corporations or partnerships in which the persons and firms have an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
L.A. Flooring, Inc. and Walter Adams, Individually EIN No. 26-2746324	721 Simpson Howell Road Elizabeth, PA 15037	1/28/2011
Advanced Electrical Construction, Inc. and George Dayeib, Individually EIN No. 23-2901701	2508 Driftwood Drive Bethel Park, PA 15102	2/16/2011
Apex Electric, Inc., Mark Dunlap, Individually and Patricia Dunlap, Individually EIN No. 25-1723577	119 Dunlap Lane Valencia, PA 16059	5/6/2011
Excel Drywall, Inc. and Charles Mininger and Carolee Mininger, Individually EIN No. 23-2940831	2955 Fretz Valley Road Perkasie, PA 18944	7/28/2011
Hydrair Balance Co., Inc. and Sharon Lohr, Individually EIN No. 1533980	107 West Venango Street Mercer, PA 16137	8/9/2011
Amy Maier and Mark Maier, d/b/a Maier Excavation	2315 Pine Grove Road Industry, PA 15052	8/9/2011
Sterling Construction Specialists, Inc., Samuel Landis, individually and Robert Steven Livesay, individually EIN No. 27-0193211	20323 Valley Forge Circle King of Prussia, PA 19406	9/16/2011
CRI Services, Inc. and James Ives, individually EIN No. 26-0314591	4124 Blanchey Road Bensalem, PA 19020	10/21/2011

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 12-117. Filed for public inspection January 20, 2012, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Pennsylvania Leprechaun Loot '12 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Leprechaun Loot '12.

2. *Price:* The price of a Pennsylvania Leprechaun Loot '12 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Leprechaun Loot '12 instant lottery game ticket will contain one play area featuring a "LUCKY NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "LUCKY NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and a Leprechaun (LEPCH) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: Free (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$80<sup>00</sup> (EIGHTY), \$100 (ONE HUN), \$300 (THR HUN), \$600 (SIX HUN), \$1,000 (ONE THO) and \$17,000 (SVNTNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, Free \$2 ticket, \$2, \$4, \$5, \$10, \$20, \$40, \$80, \$100, \$300, \$600, \$1,000 and \$17,000. A player can win up to 8 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct one O'Luckey Day second-chance drawing for which non-winning Pennsylvania Leprechaun Loot '12 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania Leprechaun Loot '12 instant lottery game.

### 8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the

"LUCKY NUMBERS" play symbols and a prize symbol of \$17,000 (SVNTNTHO) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$17,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$600 (SIX HUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$600.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$300 (THR HUN) appears in the "Prize" area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$600.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$80<sup>00</sup> (EIGHTY) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$80.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$80.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "LUCKY

NUMBERS” play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “Prize” area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “LUCKY NUMBERS” play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “Prize” area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “LUCKY NUMBERS” play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “LUCKY NUMBERS” play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Leprechaun (LEPCH)

symbol, and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “Prize” area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “LUCKY NUMBERS” play symbols and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Leprechaun (LEPCH) symbol, and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the “Prize” area to the right of that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$2.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “LUCKY NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Leprechaun Loot '12 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “LUCKY NUMBERS” play symbols and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>When Any Of Your Numbers Match Either Lucky Number, Win Prize Shown To The Right Of The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets</i>
FREE	FREE \$2 TICKET	13.64	484,000
\$1 w/LEPRECHAUN	\$2	37.5	176,000
\$2	\$2	75	88,000
\$2 x 2	\$4	75	88,000
\$2 w/LEPRECHAUN	\$4	37.5	176,000
\$4	\$4	75	88,000
(\$2 w/LEPRECHAUN) + \$1	\$5	50	132,000
\$5	\$5	150	44,000
\$2 x 5	\$10	375	17,600
\$5 x 2	\$10	750	8,800
\$5 w/LEPRECHAUN	\$10	300	22,000
\$10	\$10	500	13,200
\$5 x 4	\$20	750	8,800
\$10 x 2	\$20	750	8,800
\$10 w/LEPRECHAUN	\$20	300	22,000
\$20	\$20	750	8,800
\$5 x 8	\$40	1,846	3,575
\$10 x 4	\$40	2,182	3,025
\$20 x 2	\$40	2,182	3,025
(\$10 w/LEPRECHAUN) x 2	\$40	1,714	3,850
\$20 w/LEPRECHAUN	\$40	1,200	5,500
\$40	\$40	2,182	3,025
\$10 x 8	\$80	2,400	2,750
\$20 x 4	\$80	3,000	2,200



When Any Of Your Numbers  
Match Either Lucky Number, Win  
Prize Shown To The Right Of  
The Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,600,000 Tickets
\$40 w/LEPRECHAUN	\$80	1,714	3,850
\$80	\$80	3,000	2,200
\$20 × 5	\$100	8,571	770
(\$10 × 6) + (\$20 × 2)	\$100	8,571	770
(\$40 × 2) + \$20	\$100	8,571	770
(\$10 w/LEPRECHAUN) × 5	\$100	5,000	1,320
\$100	\$100	8,571	770
\$100 × 3	\$300	40,000	165
(\$40 × 7) + \$20	\$300	40,000	165
(\$100 w/LEPRECHAUN) + \$100	\$300	17,143	385
\$300	\$300	40,000	165
(\$80 × 7) + \$40	\$600	40,000	165
\$300 w/LEPRECHAUN	\$600	30,000	220
\$600	\$600	120,000	55
\$1,000	\$1,000	30,000	220
\$17,000	\$17,000	330,000	20

Reveal a "LEPRECHAUN" (LEPCH) symbol, win double the prize shown to the right of that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Pennsylvania Lottery's O'Lucky Day Second-Chance Drawing Requirements:*

(a) To be eligible for the Pennsylvania Lottery's O'Lucky Day second-chance drawings, players must enter non-winning PA-0917 Leprechaun Loot '12 (\$2) or PA-0916 Lucky Shamrock '12 (\$5) instant lottery tickets via the Lottery's website (palottery.com). To enter non-winning tickets players must visit the Lottery's website, click on the O'Lucky Day promotional link, follow the instructions to establish an entry account and enter the identifying information from at least one PA-0917 Leprechaun Loot '12 (\$2) or PA-0916 Lucky Shamrock '12 (\$5) instant lottery ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries must be submitted from a computer within Pennsylvania.

(6) The only entry method for the Pennsylvania Lottery's O'Lucky Day second-chance drawing is via the Pennsylvania Lottery's website.

(b) The purchase price of each non-winning PA-0917 Leprechaun Loot '12 (\$2) or PA-0916 Lucky Shamrock '12 (\$5) instant ticket entered will determine the number of entries a player will receive. Accordingly, entering a non-winning PA-0917 Leprechaun Loot '12 (\$2) ticket will entitle the player to two entries and entering a non-winning PA-0916 Lucky Shamrock '12 (\$5) will entitle the player to five entries.

11. *Pennsylvania Lottery's O'Lucky Day Second-Chance Drawing:*

(a) The Lottery will conduct one second-chance drawing as part of the Pennsylvania Lottery's O'Lucky Day promotion. All time references in this section are Eastern Standard Time.

(1) All Pennsylvania Lottery's O'Lucky Day second-chance drawing entries received on or before 11:59:59 p.m. March 12, 2012, will be entered in the Pennsylvania Lottery's O'Lucky Day second-chance drawing, which will be held the week of March 13, 2012.

(2) The winners of the Pennsylvania Lottery's O'Lucky Day second-chance drawing will be announced during the Pennsylvania Lottery's live drawing show on March 17, 2012.

(3) The odds of an entry being selected in a Pennsylvania Lottery's O'Lucky Day second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's O'Lucky Day second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's O'Lucky Day second-chance drawings.

(d) If a Pennsylvania Lottery's O'Lucky Day second-chance drawing entry is rejected during or following a Pennsylvania Lottery's O'Lucky Day second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(e) A computer-generated randomizer will be used to select the winners.

(f) A player may only win the prize for which they are first selected in the Pennsylvania Lottery's O'Lucky Day second-chance drawing. Subsequent entries, from the same individual, selected in the Pennsylvania Lottery's O'Lucky Day second-chance drawing will be disqualified and a replacement entry will be selected.

(g) If any discrepancy exists between the Pennsylvania Lottery's O'Lucky Day second-chance drawing rules and any material describing the Pennsylvania Lottery's O'Lucky Day second-chance drawing, the Pennsylvania Lottery's O'Lucky Day second-chance drawing rules shall govern.

(h) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC and other agents and families living in the same household of each are not eligible to participate in



the Pennsylvania Lottery's O'Lucky Day second-chance drawings. Offer void where prohibited or restricted.

(i) If, for any reason, the Pennsylvania Lottery's O'Lucky Day second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawings, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's O'Lucky Day second-chance drawing.

(j) All entries shall be subject to verification by the Pennsylvania Lottery.

(k) The Pennsylvania Lottery's O'Lucky Day second-chance drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

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

(n) The payment of a prize awarded in the Pennsylvania Lottery's O'Lucky Day second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

12. *Description of Pennsylvania Lottery's O'Lucky Day second-chance drawing prizes:* The first through the tenth winner selected in the Pennsylvania Lottery's O'Lucky Day second-chance drawing, held the week of March 13, 2012, shall be entitled to \$17,000. This prize shall be paid as a lump-sum cash payment.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Leprechaun Loot '12 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Leprechaun Loot '12, prize money from winning Pennsylvania Leprechaun Loot '12 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Leprechaun Loot '12 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

16. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Leprechaun Loot '12 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 12-118. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Pennsylvania Lucky Shamrock '12 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Lucky Shamrock '12.

2. *Price:* The price of a Pennsylvania Lucky Shamrock '12 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Lucky Shamrock '12 instant lottery game ticket will contain one play area featuring 12 play symbols and their captions. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), \$ (DLRSN) symbol, Leprechaun Hat (LEPHAT) symbol and a Rainbow (RAINBOW) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$600 (SIX HUN), \$1,000 (ONE THO), \$7,000 (SVN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$300, \$600, \$1,000, \$7,000, and \$100,000. The player can win up to 12 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct one O'Lucky Day second-chance drawing for which non-winning Pennsylvania Lucky Shamrock '12 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Lucky Shamrock '12 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$7,000 (SVN THO) appears in the "prize" area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(c) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$600 (SIX HUN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$600.

(f) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all twelve of the “prize” areas, on a single ticket, shall be entitled to a prize of \$600.

(g) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$300 (THR HUN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in all twelve of the “prize” areas, on a single ticket, shall be entitled to a prize of \$300.

(i) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the “prize” areas and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets with a Leprechaun Hat (LEPHAT) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Leprechaun Hat (LEPHAT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with a \$ (DLRSN) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$5.

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

<i>Reveal A “\$” (DLRSN) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$5	\$5	8.57	560,000
\$5 × 2	\$10	30	160,000
\$10	\$10	30	160,000
\$5 × 4	\$20	200	24,000
\$10 × 2	\$20	200	24,000
\$20	\$20	150	32,000
\$5 × 5	\$25	300	16,000
(\$10 × 2) + \$ 5	\$25	200	24,000
\$25	\$25	200	24,000
\$5 × 8	\$40	300	16,000
\$10 × 4	\$40	600	8,000
\$20 × 2	\$40	600	8,000
\$40	\$40	600	8,000
\$10 × 5	\$50	600	8,000
\$25 × 2	\$50	600	8,000
\$50 w/LEPRECHAUN HAT	\$50	200	24,000
\$50	\$50	600	8,000
RAINBOW w/(\$5 × 10) + (\$25 × 2)	\$100	1,143	4,200
\$20 × 5	\$100	3,000	1,600
\$25 × 4	\$100	3,000	1,600
\$50 × 2	\$100	3,000	1,600
(\$50 w/LEPRECHAUN HAT) × 2	\$100	1,263	3,800
\$100	\$100	3,000	1,600
RAINBOW w/(\$25 × 12)	\$300	7,059	680
\$100 × 3	\$300	20,000	240

<i>Reveal A "\$" (DLRSN) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
(\$50 w/LEPRECHAUN HAT) × 6	\$300	7,059	680
\$300	\$300	15,000	320
RAINBOW w/(\$50 × 12)	\$600	40,000	120
(\$100 × 3) + \$300	\$600	60,000	80
\$100 × 6	\$600	60,000	80
\$300 × 2	\$600	60,000	80
(\$50 w/LEPRECHAUN HAT) × 12	\$600	30,000	160
\$600	\$600	40,000	120
RAINBOW w/(\$50 × 4) + (\$100 × 8)	\$1,000	30,000	160
\$100 × 10	\$1,000	120,000	40
\$600 + \$300 + \$100	\$1,000	120,000	40
\$1,000	\$1,000	60,000	80
\$1,000 × 7	\$7,000	480,000	10
\$7,000	\$7,000	480,000	10
\$100,000	\$100,000	600,000	8

Reveal a "LEPRECHAUN HAT" (LEPHAT) symbol, win \$50 instantly.

Reveal a "RAINBOW" (RAINBOW) symbol, win all 12 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

**10. Pennsylvania Lottery's O'Lucky Day Second-Chance Drawing Requirements:**

(a) To be eligible for the Pennsylvania Lottery's O'Lucky Day second-chance drawings, players must enter non-winning PA-0917 Leprechaun Loot '12 (\$2) or PA-0916 Lucky Shamrock '12 (\$5) instant lottery tickets via the Lottery's website (palottery.com). To enter non-winning tickets players must visit the Lottery's website, click on the O'Lucky Day promotional link, follow the instructions to establish an entry account and enter the identifying information from at least one PA-0917 Leprechaun Loot '12 (\$2) or PA-0916 Lucky Shamrock '12 (\$5) instant lottery ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries must be submitted from a computer within Pennsylvania.

(6) The only entry method for the Pennsylvania Lottery's O'Lucky Day second-chance drawing is via the Pennsylvania Lottery's website.

(b) The purchase price of each non-winning PA-0917 Leprechaun Loot '12 (\$2) or PA-0916 Lucky Shamrock '12 (\$5) instant ticket entered will determine the number of entries a player will receive. Accordingly, entering a non-winning PA-0917 Leprechaun Loot '12 (\$2) ticket will entitle the player to two entries and entering a non-winning PA-0916 Lucky Shamrock '12 (\$5) will entitle the player to five entries.

**11. Pennsylvania Lottery's O'Lucky Day Second-Chance Drawing:**

(a) The Lottery will conduct one second-chance drawing as part of the Pennsylvania Lottery's O'Lucky Day promotion. All time references in this section are Eastern Standard Time.

(1) All Pennsylvania Lottery's O'Lucky Day second-chance drawing entries received on or before 11:59:59 p.m. March 12, 2012, will be entered in the Pennsylvania Lottery's O'Lucky Day second-chance drawing, which will be held the week of March 13, 2012.

(2) The winners of the Pennsylvania Lottery's O'Lucky Day second-chance drawing will be announced during the Pennsylvania Lottery's live drawing show on March 17, 2012.

(3) The odds of an entry being selected in a Pennsylvania Lottery's O'Lucky Day second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's O'Lucky Day second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's O'Lucky Day second-chance drawings.

(d) If a Pennsylvania Lottery's O'Lucky Day second-chance drawing entry is rejected during or following a Pennsylvania Lottery's O'Lucky Day second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(e) A computer-generated randomizer will be used to select the winners.

(f) A player may only win the prize for which they are first selected in the Pennsylvania Lottery's O'Lucky Day second-chance drawing. Subsequent entries, from the same individual, selected in the Pennsylvania Lottery's O'Lucky Day second-chance drawing will be disqualified and a replacement entry will be selected.

(g) If any discrepancy exists between the Pennsylvania Lottery's O'Lucky Day second-chance drawing rules and any material describing the Pennsylvania Lottery's O'Lucky Day second-chance drawing, the Pennsylvania Lottery's O'Lucky Day second-chance drawing rules shall govern.

(h) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC and other agents and families living in the same household of each are not eligible to participate in



the Pennsylvania Lottery's O'Lucky Day second-chance drawings. Offer void where prohibited or restricted.

(i) If, for any reason, the Pennsylvania Lottery's O'Lucky Day second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawings, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's O'Lucky Day second-chance drawing.

(j) All entries shall be subject to verification by the Pennsylvania Lottery.

(k) The Pennsylvania Lottery's O'Lucky Day second-chance drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

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

(n) The payment of a prize awarded in the Pennsylvania Lottery's O'Lucky Day second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

12. *Description of Pennsylvania Lottery's O'Lucky Day second-chance drawing prizes:* The first through the tenth winner selected in the Pennsylvania Lottery's O'Lucky Day second-chance drawing, held the week of March 13, 2012, shall be entitled to \$17,000. This prize shall be paid as a lump-sum cash payment.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lucky Shamrock '12 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky Shamrock '12, prize money from winning Pennsylvania Lucky Shamrock '12 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lucky Shamrock '12 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

16. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Lucky Shamrock '12 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 12-119. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Pennsylvania Money Vault Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Money Vault.

2. *Price:* The price of a Pennsylvania Money Vault instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Money Vault instant lottery game ticket will contain one play area featuring "GAME 1," "GAME 2," "GAME 3," "GAME 4" and "GAME 5" and one "Bonus" area. There are 36 possible play symbols in the play area, one of which will be located in "Game 1," two of which will be located in "GAME 2," three of which will be located in "GAME 3," four of which will be located in "GAME 4" and five of which will be located in "GAME 5." Each ticket will also contain a "VAULT NUMBERS" area. The "VAULT NUMBERS" area will consist of 16 play symbols. The play symbols located in the "GAMES" and in the "VAULT NUMBERS" area are: 1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40. The play symbols located in the "Bonus" area are NO BONUS (TRY AGAIN), TRY AGAIN (NO BONUS) and a Bank (BANK) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in "GAME 1" are: \$3 (THR DOL), \$5 (FIV DOL), \$6 (SIX DOL), \$10 (TEN DOL), \$20 (TWENTY), \$30 (THIRTY), \$50 (FIFTY), \$90 (NINETY), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO). The prize symbols and their captions located in "GAME 2" are: \$3 (THR DOL), \$5 (FIV DOL), \$10 (TEN DOL), \$20 (TWENTY), \$50 (FIFTY), \$90 (NINETY), \$150 (ONEHUNFTY) and \$10,000 (TEN THO). The prize symbols and their captions located in "GAME 3" are: \$3 (THR DOL), \$5 (FIV DOL), \$10 (TEN DOL), \$30 (THIRTY), \$50 (FIFTY), \$90 (NINETY), \$300 (THR HUN) and \$10,000 (TEN THO). The prize symbols and their captions located in "GAME 4" are: \$5 (FIV DOL), \$10 (TEN DOL), \$20 (TWENTY), \$30 (THIRTY) and \$50 (FIFTY). The prize symbols and their captions located in "GAME 5" are: \$5 (FIV DOL), \$6 (SIX DOL), \$10 (TEN DOL), \$20 (TWENTY), \$30 (THIRTY) and \$50 (FIFTY). The prize symbols located in the "Bonus" area are: \$3\$ (THR DOL), \$5\$ (FIV DOL), \$10\$ (TEN DOL), \$20\$ (TWENTY), \$30\$ (THIRTY), \$50\$ (FIFTY) and \$150 (ONEHUNFTY).

5. *Prizes:* "GAME 1" prizes shown are not multiplied, "GAME 2" prizes shown are doubled, "GAME 3" prizes shown are tripled, "GAME 4" prizes shown are quadrupled and "GAME 5" prizes shown are quintupled. The prizes that can be won in this game are: \$3, \$5, \$6, \$10, \$20, \$30, \$50, \$90, \$150, \$300, \$1,000 and \$10,000. The

prizes that can be won in the "Bonus" area are: \$3, \$5, \$10, \$20, \$30, \$50 and \$150. The player can win up to 6 times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,000,000 tickets will be printed for the Pennsylvania Money Vault instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$900.

(f) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$150 (ONEHUNFTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$90 (NINTY) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$270.

(i) Holders of tickets upon which any five of the "VAULT NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$50 (FIFTY) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets upon which any four of the "VAULT NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol

of \$50 (FIFTY) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$90 (NINTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$180.

(l) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$150 (ONEHUNFTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$150.

(m) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$50 (FIFTY) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$150.

(n) Holders of tickets upon which any five of the "VAULT NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$30 (THIRTY) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$150.

(o) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$150 (ONEHUNFTY) appears in the "prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$150.

(p) Holders of tickets upon which any four of the "VAULT NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$30 (THIRTY) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$120.

(q) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$50 (FIFTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any five of the "VAULT NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$20 (TWENTY) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$90 (NINTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$90.

(t) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$30 (THIRTY) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$90.

(u) Holders of tickets upon which any four of the "VAULT NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol

of \$20 (TWENTY) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$80.

(v) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$50 (FIFTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any five of the "VAULT NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$10 (TEN DOL) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$50\$ (FIFTY) appears in the "Prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$20 (TWENTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any four of the "VAULT NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$10 (TEN DOL) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$30 (THIRTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$10 (TEN DOL) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which any five of the "VAULT NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$6 (SIX DOL) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$30\$ (THIRTY) appears in the "prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$30.

(ee) Holders of tickets upon which any five of the "VAULT NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$5 (FIV DOL) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$25.

(ff) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of

\$20 (TWENTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$10 (TEN DOL) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which any four of the "VAULT NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$5 (FIV DOL) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$20\$ (TWENTY) appears in the "prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$20.

(jj) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$5 (FIV DOL) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$15.

(kk) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$10 (TEN DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$10.

(ll) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$5 (FIV DOL) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$10.

(mm) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$10\$ (TEN DOL) appears in the "prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$10.

(nn) Holders of tickets upon which any three of the "VAULT NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$3 (THR DOL) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$9.

(oo) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$6 (SIX DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$6.

(pp) Holders of tickets upon which any two of the "VAULT NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$3 (THR DOL) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$6.

(qq) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of



\$5 (FIV DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$5.

(rr) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$5\$ (FIV DOL) appears in the "prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$5.

(ss) Holders of tickets upon which any one of the "VAULT NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of

\$3 (THR DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$3.

(tt) Holders of tickets upon which a Bank (BANK) symbol appears in the "Bonus" area and a prize symbol of \$3\$ (THR DOL) appears in the "prize" area to the right of that Bank (BANK) symbol, on a single ticket, shall be entitled to a prize of \$3.

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

*Scratch The VAULT NUMBERS. Then Scratch The Corresponding Numbers When They Appear In GAMES 1-5. When You Completely Match All Of The Numbers In Any GAME, Apply That GAME's Multiplier To The PRIZE Shown For That GAME And Win That Amount. Each GAME Is Played Separately. GAME 1 Prize Is Not Multiplied. Win With:*

Bonus	Game 1	Game 2	Game 3	Game 4	Game 5	Win:	Approximate Odds of 1 in:	Approximate No. Of Winners Per 9,000,000 Tickets
	\$3					\$3	9.09	990,000
	\$5					\$5	23.81	378,000
\$3	\$3					\$6	50	180,000
		\$3				\$6	100	90,000
			\$3			\$9	125	72,000
\$3	\$3	\$3				\$9	125	72,000
	\$6					\$9	250	36,000
		\$5				\$10	125	72,000
\$5	\$10					\$10	166.67	54,000
	\$5	\$5				\$20	500	18,000
	\$5		\$5			\$20	500	18,000
				\$5		\$20	500	18,000
	\$20	\$10				\$20	500	18,000
	\$5	\$5	\$5			\$20	1,000	9,000
\$5	\$5			\$5		\$30	1,000	9,000
			\$10			\$30	1,000	9,000
	\$30				\$6	\$30	1,000	9,000
		\$10	\$10			\$30	1,000	9,000
\$5	\$10	\$5	\$5	\$5		\$50	1,600	5,625
	\$10	\$20				\$50	1,600	5,625
	\$50					\$50	2,000	4,500
					\$10	\$50	2,000	4,500
	\$10			\$10	\$10	\$50	2,000	4,500
\$30	\$10		\$10	\$20		\$90	4,000	2,250
	\$5	\$5	\$10		\$6	\$90	4,000	2,250
\$10			\$10	\$5	\$5	\$90	2,400	3,750
			\$30	\$20		\$90	4,000	2,250
	\$90					\$90	6,000	1,500
\$10	\$20	\$20	\$10		\$10	\$90	4,000	2,250
		\$50			\$10	\$150	8,000	1,125
	\$20		\$10	\$30		\$150	24,000	375
	\$30					\$150	8,000	1,125
			\$50			\$150	12,000	750
						\$150	12,000	750
	\$150					\$150	12,000	750
\$20	\$30				\$50	\$150	24,000	375
		\$90		\$30		\$300	20,000	450
			\$50		\$30	\$300	30,000	300
			\$90		\$6	\$300	40,000	225
		\$150				\$300	17,143	525
	\$300					\$300	24,000	375
\$150	\$150	\$50	\$50	\$50	\$50	\$300	24,000	375
						\$1,000	30,000	300

Scratch The VAULT NUMBERS. Then Scratch The Corresponding Numbers When They Appear In GAMES 1-5. When You Completely Match All Of The Numbers In Any GAME, Apply That GAME's Multiplier To The PRIZE Shown For That GAME And Win That Amount. Each GAME Is Played Separately. GAME 1 Prize Is Not Multiplied. Win With:

Bonus	Game 1	Game 2	Game 3	Game 4	Game 5	Win:	Approximate Odds of 1 in:	Approximate No. Of Winners Per 9,000,000 Tickets
\$50	\$50		\$300			\$1,000	30,000	300
	\$1,000					\$1,000	30,000	300
	\$10,000					\$10,000	1,800,000	5
		\$10,000				\$20,000	1,800,000	5
			\$10,000			\$30,000	900,000	10

Game 1: Win prize shown.  
 Game 2: (X2) = Win double the prize shown.  
 Game 3: (X3) = Win triple the prize shown.  
 Game 4: (X4) = Win four times the prize shown.  
 Game 5: (X5) = Win five times the prize shown.  
 Bonus: Reveal a "BANK" (BANK) symbol, win prize shown to the right of it.

Prizes, including top prizes, are subject to availability at the time of purchase.

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

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

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

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

DANIEL MEUSER,  
 Secretary

[Pa.B. Doc. No. 12-120. Filed for public inspection January 20, 2012, 9:00 a.m.]

approved on January 9, 2012, the following access routes for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28-1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28-1/2' feet maximum length-each).
5. ( ) 102" wide maxi-cube.

Route Identification	Route Description	Length Miles
SR 3019	From Bartram Avenue to I-76	3.3

The following municipality approved the access route within their jurisdiction.

Municipality		
Philadelphia County		
Route Identification	Route Description	Length Miles
SR 3019	From Bartram Avenue to I-76	3.3

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
 Secretary

[Pa.B. Doc. No. 12-121. Filed for public inspection January 20, 2012, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Highway Safety and Traffic Engineering; Access Route Approval

Under the provisions of 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation

## ENVIRONMENTAL HEARING BOARD

### World Resources Company v. DEP and Avere, LLC; EHB Doc. No. 2012-005-L

World Resources Company has appealed the issuance by the Department of Environmental Protection of an NPDES Permit to Avere, LLC for stormwater discharges associated with construction activities in Norwegian Township, Schuylkill County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 12-122. Filed for public inspection January 20, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Request to Surrender a Certificate of Authority to Provide a Continuing Care Retirement Community by LTC Associates, LLC

LTC Associates, LLC has submitted a request to surrender their Certificate of Authority to operate a Continuing Care Retirement Community at Forest City Nursing and Rehab Center in Forest City, PA. The request was received on November 14, 2011, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the surrender of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-123. Filed for public inspection January 20, 2012, 9:00 a.m.]

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

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice

and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2019, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Kimberly Gillenberger; file no. 11-183-107784; Erie Insurance Exchange; Doc. No. P11-10-011; February 9, 2012, 9 a.m.

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

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

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

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-124. Filed for public inspection January 20, 2012, 9:00 a.m.]

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

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Room 2019, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.



Appeal of Julius C. Ceccarelli; file no. 11-216-107684; Property & Casualty Insurance Company Hartford; Doc. No. P11-10-005; February 10, 2012, 9 a.m.

Appeal of Edward and Lisa Egnacheski; file no. 11-119-105967; Erie Insurance Exchange; Doc. No. P11-10-002; February 9, 2012, 1 p.m.

Appeal of Douglas R. Kennedy; file no. 11-183-108115; Erie Insurance Exchange; Doc. No. P11-11-007; February 9, 2012, 11 a.m.

Appeal of John Wojtkowski; file no. 11-183-110409; Erie Insurance Exchange; Doc. No. P11-12-002; February 9, 2012, 10 a.m.

Appeal of Richard Yovichin; file no. 11-181-107686; Donegal Mutual Insurance Company; Doc. No. P11-10-006; February 9, 2012, 2:30 p.m.

Appeal of Gary M. Yukon; file no. 11-183-107469; The Travelers Indemnity Company; Doc. No. P11-11-011; February 10, 2012, 10 a.m.

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

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

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-125. Filed for public inspection January 20, 2012, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Management Directive No. 505.20—Wage Complement Management and Control, Amended December 27, 2011.

Administrative Circular No. 11-16—Computation of Interest Penalties, Act 1982-266 Amended, Dated December 23, 2011.

Administrative Circular No. 11-17—Revised Policy and Procedures for Purchasing Goods and Services Through Advancement Accounts, Dated December 23, 2011.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 12-126. Filed for public inspection January 20, 2012, 9:00 a.m.]

[Correction]

### Right-to-Know Requests

A typographical error occurred in the notice published at 42 Pa.B. 285 (January 14, 2012). The date was stated incorrectly. The correct version of the notice is as follows.

Any technical difficulties experienced by users of the Legislative Reference Bureau's Right-to-Know e-mail address have been rectified as of January 5, 2012.

ROBERT W. ZECH, Jr.,  
*Director*

[Pa.B. Doc. No. 12-65. Filed for public inspection January 13, 2012, 9:00 a.m.]

## PENNSYLVANIA GAMING CONTROL BOARD

### List of Applicants and Licensees

In accordance with 4 Pa.C.S. §§ 1202(b)(27) and (27.1) and 1513(a.2)(1) (relating to general and specific powers; political influence), the Pennsylvania Gaming Control Board (Board) is providing the following list of all applicants for and holders of a slot machine license, table game operation certificate, manufacturer license, supplier license or racing entity license, and the affiliates, intermediaries, subsidiaries, holding companies, principals and key employees thereof. These reports are also available on the Board's web site at [www.pgcb.pa.gov](http://www.pgcb.pa.gov). The reports can be found under the Licensure, Reports and General Information Section.

SUSAN A. YOCUM,  
*Assistant Chief Counsel*

December 15, 2011

The ownership interests reflected below were provided by the licensees/applicants.

\* Net Ownership Interest is based on common stock and does not account for other stock or debt offerings.

**Category 1 Licensee/Applicant Ownership**

The following listed Principals are required to be licensed by the PGCB because they are: 1) officers; 2) directors; 3) persons who directly hold a beneficial interest in or ownership of the securities of an applicant or licensee; 4) person who have a controlling interest (own or beneficially holds 5% or more of the the securities of a publicly traded company or 1% or more of the securities of a privately held company) in an applicant or licensee; 5) persons who have the ability to elect a majority of the board of directors of a licensee or to otherwise control a licensee; 6) lenders or other licensed financial institutions of an applicant or licensee, other than a bank or lending institution which makes a loan or holds a mortgage or lien acquired in the ordinary course of business; 7) underwriters of an applicant or licensee; 8) trustees, grantors or beneficiaries of a trust that is required to be an applicant or licensee; 8) trustees, grantors or beneficiaries of a trust that is required to be licensed; 9) persons who have the ability to control the management of investment funds; or 10) other persons or employees of an applicant or licensee deemed to be a principal by the PGCB.

**Chester Downs and Marina, LLC***Breakdown of Ownership in the Organizational Chain*

95.000	Harrah's Chester Downs Investment Company, LLC
2.500	George Miller
2.500	Kevin Flynn
<u>100.000</u>	
100.000	<b>Harrah's Chester Downs Investment Company, LLC</b>
	Harrahs Operating Company, Inc.
	<b>Harrah's Operating Company, Inc.</b>
100.000	Ceasar's Entertainment, Corporation
	<b>Ceasar's Entertainment Corporation</b>
32.8999	Co-Invest Hamlet Holdings B LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
18.6348	TPG Hamlet Holdings, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
14.1002	Co-Invest Hamlet Holdings, Series LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
11.2683	Apollo Hamlet Holdings B, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
9.9226	Apollo Hamlet Holdings, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
4.2555	Paulson Credit Opportunity Master, Ltd.
3.4458	Paulson Advantage Plus Master Ltd.
2.5561	TPG Hamlet Holdings B, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
1.6542	Paulson Advantage Master, Ltd.
0.7223	Certain members of Harrah's Management
0.5402	Paulson Recovery Master Fund, Ltd.
<u>100.000</u>	

*Net Ownership Interest in Chester Downs and Marina, LLC*

31.255	Co-Invest Hamlet Holdings B LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
17.703	TPG Hamlet Holdings, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
13.395	Co-Invest Hamlet Holdings, Series LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
10.705	Apollo Hamlet Holdings B, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
9.426	Apollo Hamlet Holdings, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
4.043	Paulson Credit Opportunity Master, Ltd.
3.274	Paulson Advantage Plus Master Ltd.
2.500	George Miller
2.500	Kevin Flynn
2.428	TPG Hamlet Holdings B, LLC (Entity comprised of exempt investment funds—see 58 Pa. Code § 433a.4(f))
1.571	Paulson Advantage Master, Ltd.
0.686	Certain members of Harrah's Management
0.513	Paulson Recovery Master Fund, Ltd.
<u>100.00</u>	

*Chester Downs and Marina, LLC—Principals*

Anthony M. Civale  
 Charles A. Paelnick  
 Cheryl Ann Kondra  
 Christopher J. Williams  
 David Bonderman  
 David W. Norton  
 Gary G. Michael  
 Diane Elizabeth Wilfong

Gary W. Loveman  
 George K. Miller, Jr.  
 Joshua Harris  
 Gregory J. Miller  
 James G. Coulter  
 Jan L. Jones  
 Jeffrey David Benjamin  
 John W. Baker

Karl Peterson  
 Katrina R. Lane  
 Kelvin Davis  
 Kevin D. Flynn  
 Leon Black  
 Lynn Curtis Swann  
 Marc J. Rowan  
 Mary Thomas

Donald Paul Marrandino  
Duane Douglas Holloway  
Eric Press  
John Payne

Jonathan J. Coslet  
Jonathan S. Halkyard  
Timothy Richard Donovan

Michael D. Cohen  
Jinlong Wang  
David Sambur

**Downs Racing, LP**

*Ownership Interest in the Organizational Chain*

99.990 Mohegan Tribal Gaming Authority  
0.010 Mohegan Commercial Ventures-PA, LLC  
100.000

**Mohegan Commercial Ventures PA, LLC**  
100.000 Mohegan Tribal Gaming Authority

**Mohegan Tribal Gaming Authority**  
100.000 Mohegan Tribe of Indians of Connecticut

*Net Ownership Interest in Downs Racing, LP*  
100.000 Mohegan Tribe of Indians of Connecticut  
100.000

*Downs Racing, LP—Principals*

Allison D. Johnson  
Bruce S. Bozsum  
Cheryl Todd  
Jeffrey E. Hartmann  
Jonathan Hamilton

Kathleen M. Regan-Pyne  
Leo M. Chupaska  
Thayne Douglas Hutchins, Jr.  
Mark F. Brown  
Mark Sperry

Mitchell G. Etes  
Ralph J. Gessner, Jr.  
William Quidgeon  
David Rome

**Greenwood Gaming and Entertainment, Inc.**

*Breakdown of Ownership in the Organizational Chain*

100.000 Greenwood G&E Holding, Inc.

**Greenwood G&E Holding, Inc.**  
100.000 Greenwood Racing, Inc.

**Greenwood Racing, Inc.**  
78.950 International Turf Investment Co., Inc.  
9.122 Rock Ltd.  
4.999 Robert Green  
1.807 William Hogwood  
4.132 ITIC/ITAC, LLC  
0.988 International Turf Acquisition Co., Inc.  
100.00

**International Turf Acquisition Co., Inc.**  
100.000 Koorringal Holdings B.V.

**International Turf Investment Company, Inc.**  
100.000 Koorringal Holdings B.V.

**ITIC/ITAC, LLC**  
99.000 International Turf Investment Co., Inc.  
1.000 International Turf Acquisition Co., Inc.  
100.000

**Rock Ltd.**  
90.000 James Lane  
10.000 Richard Kendle  
100.000

**Bensalem Racing Association, Inc.**  
100.000 Greenwood Racing, Inc.

**Keystone Turf Club, Inc.**  
100.000 Greenwood Racing, Inc.

**Koorringal Holdings B.V.**  
100.000 Koorringal Holdings Curacao N.V.



**Koorungal Holdings Curacao N.V.**

100.000 Watche Manoukian

*Net Ownership Interest in Greenwood Gaming and Entertainment, Inc.*

84.070 Watche Manoukian

8.210 James Lane

4.999 Robert Green

1.807 William Hogwood

0.912 Richard Kendle

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100.00*Greenwood Gaming and Entertainment, Inc.—Principals*

Herbert G. Baerwitz

James Lane

Richard J. Kendle

Robert W. Green

Terrence A. Everett

Anthony D. Ricci

Watche A. Manoukian

William E. Hogwood

David C. Budd

**Mountainview Thoroughbred Racing Association***Breakdown of Ownership in the Organizational Chain*

100.000 Penn National Gaming, Inc.

**Penn National Gaming, Inc.**

75.223 Publicly traded stock held by shareholders that each own less than 5% (see 58 Pa. Code § 433a.3(e))

9.851 BAMCO, Inc. Baron Capital Management (exempt institutional investor—see 58 Pa. Code § 433a.5)

9.651 The Carlino Family Trust

5.275 Capital World Investors (exempt institutional investor—see 58 Pa. Code § 433a.5)

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100.000*Net Ownership Interest in Mountainview Thoroughbred Racing Association*

75.223 Publicly traded stock held by shareholders that each own less than 5% (see 58 Pa. Code § 433a.3(e))

9.851 BAMCO, Inc. Baron Capital Management (exempt institutional investor—see 58 Pa. Code § 433a.5)

9.651 The Carlino Family Trust

5.275 Capital World Investors (exempt institutional investor—see 58 Pa. Code § 433a.5)

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100.000*Mountainview Thoroughbred Racing Association—Principals*

Barbara Z. Shattuck

Desiree Ann Burke

Gregg Hart

Harold Cramer

John M. Jacquemin

Saul Reibstein

John V. Finamore

Jordan B. Savitch

Kyle Martin Sr.

Peter M. Carlino

Robert P. Levy

Jay Snowden

Robert S. Ippolito

Frank Donaghue

Timothy J. Wilmott

Wesley Edens

William J. Clifford

Thomas Auriemma

**Presque Isle Downs, Inc.***Breakdown of Ownership in the Organizational Chain*

100.000 MTR Gaming Group, Inc.

**MTR Gaming Group, Inc.**

57.660 Publicly traded stock held by shareholders that each own less than 5% (see 58 Pa. Code § 433a.3(e))

18.330 Jeffrey P. Jacobs, Jeffrey P. Jacobs Revocable Trust, under declaration of trust dated 7/10/2000, Jacobs Entertainment, Inc., and Gameco Holdings, Inc.

9.660 Bridgade Capital Management, LLC (exempt institutional investor—see 58 Pa. Code § 433a.5)

7.470 Arbitar Partners QP, LP

6.880 Par Investment Partners, L. P.

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100.00*Net Ownership Interest in Presque Isle Downs, Inc.*

57.660 Publicly traded stock held by shareholders that each own less than 5% (see 58 Pa. Code § 433a.3(e))

18.330 Jeffrey P. Jacobs, Jeffrey P. Jacobs Revocable Trust, under declaration of trust dated 7/10/2000, Jacobs Entertainment, Inc., and Gameco Holdings, Inc.

9.660 Bridgade Capital Management, LLC (exempt institutional investor—see 58 Pa. Code § 433a.5)

7.470 Arbitar Partners QP, LP

6.880 Par Investment Partners, L.P.

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100.000*Presque Isle Downs, Inc.—Principals*

Jeffrey Dahl

Stanley R. Gorom III

Rose M. Williams

Minor Child 1

Minor Child 2

Minor Child 3

Steven Michael Billick

Thomas F. Trygar

Vincent James Azzarello

James V. Stanton  
 Jeffrey P. Jacobs  
 John W. Bittner  
 Lynda L. Jacobs

Minor Child 4  
 Minor Child 5  
 Minor Child 6  
 Raymond K. Lee

Narciso Rodriguez-Cayro  
 Robert A. Blatt  
 Richard F. Delatore

**Valley View Downs, LP (Applicant)**

*Breakdown of Ownership in the Organizational Chain*

99.000 Centaur Pennsylvania, LLC  
 1.000 Valley View Downs GP, LLC  
 100.000

**Valley View Downs GP, LLC**

100.000 Centaur Pennsylvania, LLC

**Centaur Pennsylvania, LLC**

100.000 Centaur, LLC

**Centaur, LLC**

100.000 Centaur Gaming, LLC

**Centaur Gaming, LLC**

100.000 Centaur, Inc.

**Centaur, Inc.**

32.041 Roderick Radcliff  
 21.365 R. Michael O'Malley  
 12.119 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 11.974 Kurt E. Wilson  
 8.751 H. Steven Norton  
 2.708 Michael Raisor  
 2.058 William Brost  
 1.771 Steve Schreckengast  
 1.641 Ingrid Nelson  
 1.506 John Senesac  
 1.450 Walter Kelley  
 1.354 Allan Bir  
 1.262 Larry Budreau  
 100.000

*Net Ownership Interest in Valley View Downs, LP*

32.041 Roderick Radcliff  
 21.365 R. Michael O'Malley  
 12.119 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 11.974 Kurt Wilson  
 8.751 H. Steven Norton  
 2.708 Michael Raisor  
 2.058 William Brost  
 1.771 Steve Shreckengast  
 1.641 Ingrid Nelson  
 1.506 John Senesac  
 1.450 Walter Kelley  
 1.354 Allan Bir  
 1.262 Larry Budreau  
 100.000

*Valley View Downs, LP—Principals*

Allan Charles Bir  
 Herbert Stephen Norton  
 Ingrid Christine Nelson  
 John Allen Senesac

Larry Budreau  
 Michael Vernon Raisor  
 R. Michael O'Malley  
 Roderick Jay Ratcliff

Walter Herbert Kelley  
 William Joseph Brost  
 Kurt Edward Wilson  
 Stephen Rea Schreckengast

**Washington Trotting Association, Inc.**

*Breakdown of Ownership in the Organizational Chain*

100.000 PA Meadows, LLC

**PA Meadows, LLC**

100.000 PA MezzCo, LLC

	<b>PA MezzCo, LLC</b>
100.000	Cannery Casino Resorts, LLC
	<b>Cannery Casino Resorts, LLC</b>
43.790	Millennium Gaming, Inc.
31.710	OCM AcquisitionCo, LLC
12.250	Crown CCR Group Investments One, LLC
12.250	Crown CCR Group Investments Two, LLC
<u>100.000</u>	
	<b>Millennium Gaming, Inc.</b>
50.000	William Paulos
<u>50.000</u>	William Wortman
100.000	
	<b>OCM AcquisitionCo, LLC</b>
100.000	OCM Blocker, LLC
	<b>OCM Blocker, LLC</b>
100.000	OCM HoldCo, LLC
	<b>OCM HoldCo, LLC</b>
100.000	Voting Membership Interest—OCM VoteCo, LLC
100.000	Non-Voting Membership Interest—OCM InvestCo, LLC
	<b>OCM VoteCo, LLC</b>
14.286	Ronald Beck
14.286	Stephen Kaplan
14.286	John Frank
14.286	Bruce Karsh
14.286	David Kirchheimer
14.286	Howard Marks
<u>14.286</u>	Sheldon Stone
100.000	
	<b>Crown CCR Group Investments One, LLC</b>
100.000	Crown CCR Holdings, LLC
	<b>Crown CCR Group Investments Two, LLC</b>
100.000	Crown CCR Holdings, LLC
	<b>Crown CCR Holdings, LLC</b>
100.000	Crown CCR Holdings General Partnership
	<b>Crown CCR Holdings General Partnership</b>
99.000	Crown CCR Group Holdings One Pty., Ltd
<u>1.000</u>	Crown CCR Group Holdings Two Pty., Ltd
100.000	
	<b>Crown CCR Group Holdings Two Pty, Ltd</b>
100.000	Crown CCR Group Holdings One Pty, Ltd
	<b>Crown CCR Group Holdings One Pty, Ltd</b>
100.000	Crown Entertainment Group Holdings Pty, Ltd
	<b>Crown Entertainment Group Holdings Pty, Ltd</b>
100.000	Crown Limited
	<b>Crown Limited</b>
62.080	Publicly traded stock in Crown held by shareholders that each own less than 5%
<u>37.920</u>	Consolidated Press Holdings Limited
100.000	
	<b>Consolidated Press Holdings Limited</b>
100.000	Cairnton Holdings Limited
	<b>Cairnton Holdings Limited</b>
100.000	Consolidated Press Holdings Limited

**Consolidated Press Holdings Limited**

100.000 Consolidated Custodians International Limited

**Consolidated Custodians International Limited**

83.530 Custodians No. 8 Trust

16.470 Shareholders that each own less than 5% (see 58 Pa. Code § 433a.4(e))

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100.000*Net Ownership Interest in Washington Trotting Association, Inc.*

21.895 William Paulos

21.895 William Wortman

15.210 Publicly traded stock in Crown held by shareholders that each own less than 5%

7.760 Custodians No. 8 Trust

4.530 Ronald Beck

4.530 Stephen Kaplan

4.530 John Frank

4.530 Bruce Karsh

4.530 David Kirchheimer

4.530 Howard Marks

4.530 Sheldon Stone

1.530 Shareholders in Consolidated Press Holdings Group that each own less than 5%

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100.000*Washington Trotting Association, Inc.—Principals*

John B. Frank

Bruce A. Karsh

Carl Stix

William C. Wortman

David M. Kirchheimer

Ronald N. Beck

Gretel Packer

Michael J. Neilson

Rowena Danziger

William Joseph Paulos

Ryan S. Toland

Michael A. Day

Stephen A. Kaplan

Sheldon M. Stone

Ashok P. Jacobs

John H. Alexander

Michael R. Johnston

Rowen B. Craigie

Benjamin A. Brazil

Howard S. Marks

Guy T. Hillyer

Thomas A. Lettero

Xavier B. Walsh

James D. Packer

Kenneth M. Barton

Richard W. Turner

Heidi Hamers

**Category 2 Licensee/Applicant Ownership**

The following listed Principals are required to be licensed by the PGCB because they are: 1) officers; 2) directors; 3) persons who directly hold a beneficial interest in or ownership of the securities of an applicant or licensee; 4) person who have a controlling interest (own or beneficially holds 5% or more of the the securities of a publicly traded company or 1% or more of the securities of a privately held company) in an applicant or licensee; 5) persons who have the ability to elect a majority of the board of directors of a licensee or to otherwise control a licensee; 6) lenders or other licensed financial institutions of an applicant or licensee, other than a bank or lending institution which makes a loan or holds a mortgage or lien acquired in the ordinary course of business; 7) underwriters of an applicant or licensee; 8) trustees, grantors or beneficiaries of a trust that is required to be an applicant or licensee; 8) trustees, grantors or beneficiaries of a trust that is required to be licensed; 9) persons who have the ability to control the management of investment funds; or 10) other persons or employees of an applicant or licensee deemed to be a principal by the PGCB.

**Holdings Acquisition Co., LP***Breakdown of Ownership in the Organizational Chain***Holdings Acquisition Co, L.P.**

99.500 Holdings Gaming Borrower, L.P.

0.500 Holdings Acquisition Co. GP, L.L.C.

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100.000**Holdings Acquisition Co GP, L.L.C.**

100.000 Holdings Gaming Borrower, L.P.

**Holdings Gaming Borrower, L.P.**

99.500 Pittsburgh Gaming Holdings, L.P.

0.500 Holdings Gaming Borrower GP, L.L.C.

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100.000**Holdings Gaming Borrower GP, L.L.C.**

100.000 Pittsburgh Gaming Holdings, L.P.



	<b>Pittsburgh Gaming Holdings, L.P.</b>
69.500	Pittsburgh Gaming Investors, L.P.
20.000	PITG Entertainment, LLC
5.000	GRS PITG Holdings Corp
5.000	PFRS PITG Holdings Corp
0.500	Pittsburgh Gaming Holdings GP, L.L.C.
<u>100.000</u>	
	<b>Pittsburgh Gaming Holdings GP, L.L.C.</b>
100.000	Pittsburgh Gaming Investors Intermediate, L.L.C.
	<b>Pittsburgh Gaming Investors Intermediate, L.L.C.</b>
100.000	Pittsburgh Gaming Investors, L.P.
	<b>PFRS PITG Holdings Corp</b>
100.000	Police and Fire Retirement System of City of Detroit
	<b>GRS PITG Holdings Corp</b>
100.000	General Retirement System of City of Detroit
	<b>PITG Entertainment, LLC</b>
81.000	Jurat Holdings, LLC
19.000	PITG Gaming Investor Holdings, LLC
<u>100.000</u>	
	<b>Jurat Holdings, LLC</b>
100.000	Don H. Barden
	<b>PITG Gaming Investor Holdings, LLC</b>
65.790	Shareholders that each own less than 1% in Holdings (see 58 Pa. Code § 433a.3(d))
34.210	Don H. Barden
<u>100.000</u>	
	<b>Pittsburgh Gaming Investors, L.P.</b>
73.770	Walton Majestic Star Holdings VI, LP
18.730	High Pitt Gaming, L.P.
6.830	Cira Pittsburgh Gaming Investor, L.P.
0.500	Pittsburgh Gaming Investors GP, LLC
0.170	HPP, LP
<u>100.000</u>	
	<b>HPP, LP</b>
100.000	Shareholders that each own less than 1% in Holdings (see 58 Pa. Code § 433a.3(d))
<u>100.000</u>	
	<b>Pittsburgh Gaming Investors GP, L.L.C.</b>
75.000	Walton Majestic Star Holdings VI, LP
25.000	High Pitt Gaming, LP
<u>100.000</u>	
	<b>Cira Pittsburgh Gaming Investor, L.P.</b>
46.130	Ira Lubert
30.000	Athena Venture Partners, LP and G-3 GST LP (exempt institutional investors—see 58 Pa. Code § 433a.5)
23.370	Shareholders that each own less than 1% in Holdings (see 58 Pa. Code § 433a.3(d))
0.500	Cira Pittsburgh Gaming Investor GP, LLC
<u>100.000</u>	
	<b>Cira Pittsburgh Gaming Investor GP, LLC</b>
100.000	Ira Lubert
	<b>High Pitt Gaming, L.P.</b>
30.800	AGB Trust
30.800	LNB Trust
30.800	MAB Trust
7.100	Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))
0.500	High Pitt Gaming GP, L.L.C.
<u>100.000</u>	

**High Pitt Gaming GP, L.L.C.**

30.955	AGB Trust
30.955	LNB Trust
30.955	MAB Trust
<u>7.135</u>	Greg Carlin
100.000	

**Walton Majestic Star Holdings VI, LP**

99.500	Walton Street Funds (Entity comprised of exempt investment fundss—see 58 Pa. Code § 433a.4(f))
<u>0.500</u>	Walton Majestic Star Holdings VI GP, L.L.C.
100.00000	

**Walton Majestic Star Holdings VI GP, L.L.C.**

<u>100.000</u>	Walton Street Funds (Entity comprised of exempt investment fundss—see 58 Pa. Code § 433a.4(f))
100.000	

*Net Ownership Interest in Holdings Acquisition Co., LP*

51.902	Walton Street Funds (Entity comprised of exempt investment fundss—see 58 Pa. Code § 433a.4(f))
17.500	Don Barden
4.677	Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))
5.000	Police and Fire Retirement System of City of Detroit
5.000	General Retirement System of City of Detroit
4.086	AGB Trust
4.086	LNB Trust
4.086	MAB Trust
2.229	Ira Lubert
<u>1.434</u>	Athena Venture Partners, LP and G-3 GST LP (exempt institutional investors—see 58 Pa. Code § 433a.5)
100.000	

*Holdings Acquisition Co., LP—Principals*

Neil Bluhm	Ira M. Lubert	Minor Child 1
Andrew G. Bluhm	Jeffrey S. Quicksilver	Minor Child 2
David G. Patent	Joseph Richard Scibetta	Minor Child 3
Don H. Barden	Kenneth J. Weaver	Minor Child 4
Eric C. Mogentale	Leslie N. Bluhm	Minor Child 5
Gregory Carlin	Meredith A. Bluhm-Wolf	Minor Child 6
Ira. J. Schulman	Michelle R. Sherman	Minor Child 7

**Mount Airy #1, LLC***Breakdown of Ownership in the Organizational Chain*

100.000 Mount Airy Holdco, LLC

**Mount Airy Holdco, LLC**

100.000 Grantor Trust II F/B/O Lisa DeNaples

*Net Ownership Interest in Mount Airy #1, LLC*

100.000 Grantor Trust II F/B/O Lisa DeNaples

*Mount Airy #1, LLC—Principals*

Anne Elizabeth DeNaples	Louis Anthony DeNaples, Jr.	Lisa A. DeNaples
Margaret Mary Glodzik	Lucian Ross	Louis A. DeNaples
Dominica Pia DeNaples	Lawrence Lance Cole	Donna Dominica Dileo
Minor Child 1	Minor Child 2	Minor Child 3
Minor Child 4	Minor Child 5	Minor Child 6
Minor Child 7	Minor Child 8	Minor Child 9
Minor Child 10	Minor Child 11	Minor Child 12
Minor Child 13	Minor Child 14	

**Philadelphia Entertainment and Development Partners, LP****Entity License Revoked 12/16/2010***Breakdown of Ownership in the Organizational Chain*

70.000	Washington Philadelphia Investors, LP
29.990	FDC Philadelphia, LP
<u>0.010</u>	FDC/PEDP GP, LLC
100.000	

**Washington Philadelphia Investors, LP**

61.230 Washington Partners Community Charities, LP  
 9.140 Peter DePaul  
 6.070 Frederick Teece  
 5.680 Quincy Jones, Jr.  
 5.410 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 4.850 Anuj Agarwal  
 4.490 Manuel Stamatakis  
 3.030 Robert Levy  
 0.100 WPI GP, LLC

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100.000

**Washington Partners Community Charities, LP**

42.980 The Rubin Family Charitable Foundation  
 38.350 The Silver Family Charitable Foundation  
 18.570 Edward Snider  
 0.100 WPCC GP, LLC

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100.000

**WPCC GP, LLC**

50.000 The Rubin Family Charitable Foundation  
 50.000 The Silver Family Charitable Foundation

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100.000

**WPI GP, LLC**

50.000 George Rubin  
 50.000 Anuj Agarwal

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100.000

**FDC Philadelphia, LP**

99.900 Foxwoods Development Company, LLC  
 0.100 Foxwoods GP Philadelphia, LLC

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100.000

**FDC/PEDP GP, LLC**

100.000 Foxwoods GP Philadelphia, LLC

**Foxwoods GP Philadelphia, LLC**

100.000 Foxwoods Development Company LLC

**Foxwoods Development Company, LLC**

100.000 Mashantucket Pequot Tribal Nation

*Net Ownership Interest in Philadelphia Entertainment and Development Partners, LP*

30.000 Mashantucket Pequot Tribal Nation  
 18.422 The Rubin Family Charitable Foundation  
 16.437 The Silver Family Charitable Foundation  
 7.959 Edward Snider  
 6.398 Peter DePaul  
 4.249 Frederick Teece  
 3.976 Quincy Jones, Jr.  
 3.865 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 3.430 Anuj Agarwal  
 3.143 Manuel Stamatakis  
 2.121 Robert Levy

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100.000

*Philadelphia Entertainment and Development Partners, LP—Principals*

Arron B. Krupnick  
 Anui J. Agarwal  
 Brian R. Ford  
 Edward M. Snider  
 Frederick C. Teece  
 Gary D. Armentrout  
 Ronald Rubin

Jason Bruce Guyot  
 Jeffrey Wosencroft  
 Joseph A. Colebut, Sr.  
 Manuel Stamatakis  
 Marjorie C. Jackson  
 Maureen C. Sebastian

Quincy D. Jones, Jr.  
 Richard E. Sebastian  
 Robert P. Levy  
 Rodney A. Butler  
 Timothy A. Walker  
 William J. Sherlock

Crystal Spears  
 Steven Thomas  
 James T. Jackson  
 Peter D. DePaul  
 George F. Rubin  
 Melissa Silver

**Sands Bethworks Gaming, LLC***Breakdown of Ownership in the Organizational Chain*

90.000 Sands Pennsylvania, Inc.  
 10.000 BethWorks Now, LLC  
 100.000

**Sands Pennsylvania, Inc.**  
 96.000 Venetian Casino Resort, LLC  
 2.500 Pasquale T. Deon  
 1.500 James C. Schwartzman  
 100.000

**Venetian Casino Resort, LLC**  
 100.000 Las Vegas Sands, LLC

**Las Vegas Sands, LLC**  
 100.000 Las Vegas Sands Corp.

**Las Vegas Sands Corp.**  
 32.311 Officer and Director shareholders that each own less than 5% each (see 58 Pa. Code § 433a.3(e))  
 30.393 Sheldon Adelson  
 21.767 Publicly traded stock held by shareholders that each own less than 5% (see 58 Pa. Code § 433a.3(e))  
 15.529 Dr. Miriam Adelson  
 100.000

**BethWorks Now, LLC**  
 50.000 BethWorks GGQ, LLC  
 50.000 BethWorks FP, LLC  
 100.000

**BethWorks GGQ, LLC**  
 37.500 Barry Gosin  
 37.500 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 25.000 James Kuhn  
 100.000

**BethWorks FP, LLC**  
 50.000 Michael Perrucci  
 50.000 Richard Fischbein  
 100.000

*Net Ownership Interest in Sands Bethworks Gaming, LLC*  
 31.019 Officer and Director shareholders who each own less than 5% (see 58 Pa. Code § 433a.3(e))  
 29.177 Sheldon Adelson  
 20.896 Publicly traded stock held by shareholders that each own less than 5% (see 58 Pa. Code § 433a.3(e))  
 14.908 Dr. Miriam Adelson  
 2.500 Michael Perrucci  
 2.500 Richard Fischbein  
 2.250 Pasquale T. Deon  
 1.875 Barry Gosin  
 1.875 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 1.350 C. Schwartzman  
 1.250 James Kuhn  
 109.600

*Sands Bethworks Gaming, LLC—Principals*

Barry M. Gosin  
 Daniel William Eitnier  
 Frederick H. Kraus  
 Gary Steven Hernishin  
 Irwin A. Siegel  
 James C. Schwartzman  
 James D. Kuhn  
 Jason N. Ader  
 Timothy Notaro

Jeffrey Howard Schwartz  
 Richard S. Fischbein  
 Kenneth Jeffrey Kay  
 Kimberly Kay McCabe  
 Michael A. Leven  
 Michael Alan Quartieri  
 Michael J. Perrucci  
 Miriam Ochshorn Adelson  
 John Caparella

Pasquale T. Deon  
 Gayle Hymen  
 Robert C. Rubenstein  
 Robert G. Goldstein  
 Sheldon G. Adelson  
 Timothy Dennis Stein  
 Charles Forman  
 Irwin Chafetz  
 Ira Raphaelson



**Sugarhouse HSP Gaming, LP***Breakdown of Ownership in the Organizational Chain***SugarHouse HSP Gaming, LP**

99.900	SugarHouse HSP Gaming Prop. Mezz, L.P.
0.100	SugarHouse HSP Gaming Prop. GP, LLC
<hr/>	
100.000	

**SugarHouse HSP Gaming Prop. GP, LLC**

100.000	SugarHouse HSP Gaming Prop. Mezz, LP
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**SugarHouse HSP Gaming Prop. Mezz, LP**

99.900	SugarHouse HSP Gaming Prop. Holdings, LP
0.100	SugarHouse HSP Gaming Prop. Mezz GP, LLC
<hr/>	
100.000	

**SugarHouse HSP Gaming Prop. Mezz GP, LLC**

100.000	SugarHouse HSP Gaming Prop. Holdings, LP
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**SugarHouse HSP Gaming Prop. Holdings, LP**

99.900	HSP Gaming, LP
0.100	SugarHouse HSP Gaming Prop. Holdings GP, LLC
<hr/>	
100.000	

**SugarHouse HSP Gaming Prop. Holdings GP, LLC**

100.000	HSP Gaming, LP
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**HSP Gaming, LP**

66.250	High Penn Gaming, LP
33.650	RPRS Gaming, LP
0.100	HP Gaming Partners, LP
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100.000	

**High Penn Gaming, LP**

28.570	Neil G. Bluhm Family Descendants Trust
21.000	2002 LNB Family Dynasty Trust
20.940	2002 AGB Family Dynasty Trust
14.400	Meredith A. Bluhm-Wolf 2006 Family Trust
9.990	Gregory Carlin
1.000	Meredith A. Bluhm-Wolf
1.000	Leslie N. Bluhm
1.000	Andrew Bluhm
1.970	Neil Bluhm
0.030	Brian Black
0.100	High Penn Gaming, LLC
<hr/>	
100.000	

**HP Gaming Partners, LP**

79.900	High Penn Gaming, LLC
20.000	Jerry Johnson
0.100	High Penn Gaming, LP
<hr/>	
100.000	

**High Penn Gaming, LLC**

60.000	Neil Bluhm
30.000	Andrew Bluhm
10.000	Gregory Carlin
<hr/>	
100.000	

**RPRS Gaming, LP**

39.000	RMP Gaming, LP
19.240	Barbara Sprague
19.240	Thomas Sprague
8.750	Daniel Keating
7.770	William Lamb
2.000	Peter DePaul
1.000	Stephen Cozen
1.000	RPRS Gaming, LLC

0.980 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 0.500 Jerry Johnson  
 0.520 Richard Sprague  
 100.000

**RPRS Gaming, LLC**  
 50.000 Richard Sprague  
 50.000 Robert Potamkin  
 100.000

**RMP Gaming, LP**  
 49.500 Robert Potamkin  
 49.500 2005 AAA Trust  
 1.000 RMP Gaming, LLC  
 100.000

**RMP Gaming, LLC**  
 100.000 Robert Potamkin

*Net Ownership Interest in Sugarhouse HSP Gaming, LP*

18.930 Neil G. Bluhm Family Descendants Trust  
 13.915 2002 LNB Family Dynasty Trust  
 13.875 2002 AGB Family Dynasty Trust  
 9.541 Meredith A. Bluhm-Wolf 2006 Family Trust  
 6.796 Robert Potamkin  
 6.634 Gregory Carlin  
 6.496 2005 AAA Trust  
 6.470 Barbara Sprague  
 6.470 Thomas Sprague  
 3.921 Shareholders that each own less than 1% (see 58 Pa. Code § 433a.3(d))  
 2.944 Daniel Keating  
 2.615 William Lamb  
 1.393 Neil G. Bluhm  
 100.000

*Sugarhouse HSP Gaming, LP—Principals*

Andrew G. Bluhm	Minor Child 1	Minor Child 9
Barbara A. Sprague	Minor Child 2	Minor Child 10
Daniel J. Keating	Minor Child 3	Neil G. Bluhm
Gregory A. Carlin	Minor Child 4	Richard A. Sprague
Jerry Johnson	Minor Child 5	Robert A. Potamkin
Leslie N. Bluhm	Minor Child 6	Thomas A. Sprague
Lexie H. Potamkin	Minor Child 7	William H. Lamb
Meredith A. Bluhm-Wolf	Minor Child 8	Joseph Scibetta
David Patent	Albert Liu	

**Category 3 Licensee/Applicant Ownership**

The following listed Principals are required to be licensed by the PGCB because they are: 1) officers; 2) directors; 3) persons who directly hold a beneficial interest in or ownership of the securities of an applicant or licensee; 4) person who have a controlling interest (own or beneficially holds 5% or more of the the securities of a publicly traded company or 1% or more of the securities of a privately held company) in an applicant or licensee; 5) persons who have the ability to elect a majority of the board of directors of a licensee or to otherwise control a licensee; 6) lenders or other licensed financial institutions of an applicant or licensee, other than a bank or lending institution which makes a loan or holds a mortgage or lien acquired in the ordinary course of business; 7) underwriters of an applicant or licensee; 8) trustees, grantors or beneficiaries of a trust that is required to be an applicant or licensee; 8) trustees, grantors or beneficiaries of a trust that is required to be licensed; 9) persons who have the ability to control the management of investment funds; or 10) other persons or employees of an applicant or licensee deemed to be a principal by the PGCB.

**Valley Forge Convention Center Partners, LP**

*Breakdown of Ownership in the Organizational Chain*

51.422 Ira Lubert  
 19.778 Jonathan Lubert  
 17.800 Michael Heller  
 5.000 Ken Kochenour  
 5.000 Barbara Evans  
 1.000 Valley Forge Convention Center Partners GP, LLC  
 100.000

**Valley Forge Convention Center Partners GP, LLC**

57.800 Ira Lubert  
 22.200 Jonathan Lubert  
 20.000 Michael Heller  
 100.000

*Net Ownership Interest in Valley Forge Convention Center Partners, LP*

51.480 Ira Lubert  
 19.800 Jonathan Lubert  
 17.820 Michael Heller  
 4.950 Ken Kochenour  
 4.950 Barbara Evans  
 1.000 Valley Forge Convention Center Partners GP, LLC  
 100.000

*Valley Forge Convention Center Partners, LP—Principals*

Barbara Evans	Jonathan Lubert	Michael Heller
Kenneth Kochenour	William Landman	Ira M. Lubert
Tommy Rosenfeld		

**Woodlands Fayette, LLC (Applicant)***Breakdown of Ownership in the Organizational Chain*

100.000 Nemacolin Woodlands, Inc.

**Nemacolin Woodlands, Inc.**

100.000 The 2001 Irrevocable Trust for Margaret H. Magerko

*Net Ownership Interest in Woodlands Fayette, LLC*

100.000 The 2001 Irrevocable Trust for Margaret H. Magerko

Margaret Ann Magerko	Cheri Lee Bomar	Peter J. Magerko
Joseph A. Hardy III	Alan J. Glazer	Dale R. Black
Edmund I. Quatmann Jr.	James B. Perry	Jeffrey D. Goldstein
Lee S. Wielansky	Richard A. Goldstein	Robert S. Goldstein
Timothy A. Ilsley	Arnold Block	Michael Fries
Virginia M. McDowell	William R. Baker	

**Pennsylvania Gaming Control Board Application Status Report As of December 20, 2011****Category 1 Facilities****Chester Downs and Marina, LLC**

License Renewed: 10/21/2009

License Expires: 10/20/2012

Petition to Conduct Table Games Deemed Complete: 3/25/10

Certificate Awarded: 5/13/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Chester Downs and Marina, LLC</i>			
<i>Facility-Category 1</i>			
Chester Downs and Marina, LLC	License Renewed	10/21/2009	10/20/2012
<i>Affiliate</i>			
Caesars Entertainment Corporation	License Renewed	10/21/2009	10/20/2012
Harrah's Operating Company, Inc.	License Renewed	10/21/2009	10/20/2012
Harrah's Chester Downs Investment Company, LLC	License Renewed	10/21/2009	10/20/2012
Hamlet Holdings, LLC	License Renewed	10/21/2009	10/20/2012
<i>Principal Entity</i>			
Chester Downs Finance Corp.	Approved for Licensure	9/14/2011	9/13/2014
TPG Hamlet Holdings LLC	License Renewed	10/21/2009	10/20/2012
TPG Hamlet Holdings B, LLC	License Renewed	10/21/2009	10/20/2012
Apollo Hamlet Holdings B, LLC	License Renewed	10/21/2009	10/20/2012
Co-Invest Hamlet Holdings B, LLC	License Renewed	10/21/2009	10/20/2012
Co-Invest Hamlet Holdings, Series LLC	License Renewed	10/21/2009	10/20/2012
Apollo Hamlet Holdings, LLC	License Renewed	10/21/2009	10/20/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Paulson & Co. Inc.	Notification Received		
Joseph Lashinger Co., LLC	Surrendered License	4/7/2010	
<i>Principal</i>			
Timothy Richard Donovan	Approved for Licensure	11/22/2011	11/21/2014
John W. Baker	Approved for Licensure	8/28/2009	8/27/2012
Diane Elizabeth Wilfong	Approved for Licensure	2/24/2011	2/23/2014
Katrina R. Lane	Approved for Licensure	1/6/2011	1/5/2014
Lynn Curtis Swann	Approved for Licensure	8/18/2011	8/17/2014
Donald Paul Marrandino	Approved for Licensure	7/20/2011	7/19/2014
Duane Douglas Holloway	Approved for Licensure	1/6/2011	1/5/2014
Cheryl Ann Kondra	Approved for Licensure	10/21/2009	10/20/2012
Daniel L Nita	Inactive-Approved for Licensure	8/28/2009	8/27/2012
Gerald A. Einsohn	Inactive-Renewed	10/21/2009	10/20/2012
David W. Norton	Inactive-Renewed	10/21/2009	10/20/2012
Kevin D. Flynn	License Renewed	10/21/2009	10/20/2012
Kelvin Davis	License Renewed	10/21/2009	10/20/2012
Eric Press	License Renewed	10/21/2009	10/20/2012
Gary G. Michael	License Renewed	10/21/2009	10/20/2012
Jeffrey David Benjamin	License Renewed	10/21/2009	10/20/2012
Gary W. Loveman	License Renewed	10/21/2009	10/20/2012
Michael D. Cohen	License Renewed	10/21/2009	10/20/2012
Mary Thomas	License Renewed	10/21/2009	10/20/2012
Karl Peterson	License Renewed	10/21/2009	10/20/2012
Marc J. Rowan	License Renewed	10/21/2009	10/20/2012
Charles A. Paelnick	License Renewed	10/21/2009	10/20/2012
Joshua Harris	License Renewed	10/21/2009	10/20/2012
Jonathan J. Coslet	License Renewed	10/21/2009	10/20/2012
Anthony M. Civale	License Renewed	10/21/2009	10/20/2012
David Bonderman	License Renewed	10/21/2009	10/20/2012
Leon Black	License Renewed	10/21/2009	10/20/2012
Gregory J. Miller	License Renewed	10/21/2009	10/20/2012
Christopher J. Williams	License Renewed	10/21/2009	10/20/2012
George K. Miller, Jr.	License Renewed	10/21/2009	10/20/2012
James G. Coulter	License Renewed	10/21/2009	10/20/2012
Jonathan S. Halkyard	License Renewed	10/21/2009	10/20/2012
Jan L. Jones	License Renewed	10/21/2009	10/20/2012
John W.R. Payne	Pending		
David Benjamin Sambur	Pending		
Jinlong Wang	Pending		
Joseph A. Lashinger, Jr.	Surrendered License	10/21/2009	
Dennis V. Gallagher	Surrendered License	2/10/2011	
Peter Edward Murphy	Withdrawn	8/18/2011	
<i>Key Employee</i>			
Sean Adam Baumgartner	Approved for Licensure	10/13/2011	10/12/2014
Travis G. Lamb	Approved for Licensure	2/24/2011	2/23/2014
Dwayne Michael Cambra	Approved for Licensure	10/13/2011	10/12/2014



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Mary Frances Harper	Approved for Licensure	4/28/2011	4/27/2014
Michelle Marie Yarrow	Approved for Licensure	10/13/2011	10/12/2014
Marianne Marie Oronzio	Approved for Licensure	4/7/2010	4/6/2013
Deborah Baldwin	Approved for Licensure	4/22/2009	4/21/2012
Helmut Mizzay Littlejohn	Approved for Licensure	8/18/2011	8/17/2014
MaryAnn F Porvaznik	Approved for Licensure	10/21/2009	10/20/2012
Vito Arthur Nardelli Jr	Approved for Licensure	10/13/2011	10/12/2014
Michele D Hennigan	Approved for Licensure	10/21/2009	10/20/2012
Matthew Stapleton Fisher	Approved for Licensure	10/13/2011	10/12/2014
Gregory Gioe III	Approved for Licensure	3/3/2010	3/2/2013
Matthew John Conner	Approved for Licensure	4/7/2010	4/6/2013
Nancy Castellano	Approved for Licensure	3/25/2009	3/24/2012
Corey Fulton	Approved for Licensure	12/9/2009	12/8/2012
Charles O'Hala	Approved for Licensure	11/22/2011	11/21/2014
Alyson Paige Stocker	Approved for Licensure	3/3/2010	3/2/2013
Martin Tom Williamson	Approved for Licensure	7/20/2011	7/19/2014
Darrell Edward Fittimon II	Approved for Licensure	10/13/2011	10/12/2014
Cynthia Leach	Approved for Licensure	9/23/2009	9/22/2012
Karen Ann Moylan	Approved for Licensure	3/3/2010	3/2/2013
Scott S Shepherd	Approved for Licensure	8/28/2009	8/27/2012
Brendan James Gowen	Approved for Licensure	5/25/2010	5/24/2013
Martin W Murray	Approved for Licensure	3/3/2010	3/2/2013
Nicholas Capriotti	Approved for Licensure	7/29/2010	7/28/2013
Jennifer Michele Mitchell	Approved for Licensure	1/6/2011	1/5/2014
Bryan R. Scruggs	Approved for Licensure	4/8/2009	4/7/2012
Dennis John Carr	Approved for Licensure	6/21/2010	6/20/2013
Ronald Mathew Baumann	Approved for Licensure	11/22/2011	11/21/2014
Kimberly Ann Horn	Inactive-Approved for Licensure	8/28/2009	8/27/2012
Steven A. Wilson	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Richard C Habibi	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Susan Bernadette Mark	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Michael Joseph Tiburzi	Inactive-Approved for Licensure	8/28/2009	8/27/2012
Dennis Austin Jones	Inactive-Approved for Licensure	6/10/2010	6/9/2013
David Kou-Hsien Kam	Inactive-Approved for Licensure	3/25/2009	3/24/2012
J'Anai Campbell	Inactive-Approved for Licensure	3/25/2009	3/24/2012
Daniel J. Rohrer	Inactive-Approved for Licensure	3/25/2009	3/24/2012
Wayne Yang Hu	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Joseph Sutsko	Inactive-Approved for Licensure	4/7/2010	4/6/2013
Francis George Lengetti III	Inactive-Approved for Licensure	4/7/2010	4/6/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Curtis Lane	Inactive-Renewed	3/25/2009	3/24/2012
Christopher C. Milano	Inactive-Renewed	3/25/2009	3/24/2012
Marvin T. Fox	Inactive-Renewed	3/25/2009	3/24/2012
Vincent D. Donlevie	Inactive-Renewed	5/25/2010	5/24/2013
Shonette Harrison Carew	Inactive-Renewed	3/25/2009	3/24/2012
Blake A. Warren	Inactive-Renewed	3/25/2009	3/24/2012
Anthony Hill	Inactive-Renewed	3/3/2010	3/2/2013
Mark Andrews	Inactive-Renewed	4/7/2010	4/6/2013
Carrie Doheny	Inactive-Renewed	8/28/2009	8/27/2012
Michael Vinci	Inactive-Renewed	3/25/2009	3/24/2012
Helen A. Allman	Inactive-Renewed	7/29/2010	7/28/2013
Michael Lamont Wesley	License Renewed	12/9/2009	12/8/2012
Normand J. Mullan	License Renewed	10/21/2009	10/20/2012
Marybeth Fielder	License Renewed	8/28/2009	8/27/2012
Thomas Hemphill	License Renewed	8/28/2009	8/27/2012
Michael Toland	License Renewed	6/21/2010	6/20/2013
N. Lynne Hughes	License Renewed	3/25/2009	3/24/2012
Vicki L. Guveiyian	License Renewed	3/25/2009	3/24/2012
Stanley J. Kernan	License Renewed	8/28/2009	8/27/2012
John M. McNeill Jr	License Renewed	7/29/2010	7/28/2013
Christopher L. Riess	License Renewed	3/25/2009	3/24/2012
Josette Danielle Carter	License Renewed	8/28/2009	8/27/2012
Robin Roberts	License Renewed	4/22/2009	4/21/2012
Jason James Gardner	Pending		
Andrew Hamilton Smith	Pending		
Rosemarie Cope	Pending		
Van Q Chau	Pending		
Cain Michael Myers	Pending		
Michael Manzi	Pending		
Janet Lynn Maugans	Pending		
Susan M Foster	Pending		
Joel David Freedman	Pending		
Katie M. Tyler	Renewal App Pending		
Travis Lynn Beckwith	Surrendered License	2/20/2009	
Mecca Karim-Bey	Withdrawn	1/4/2011	
Caroline Noel Kennedy	Withdrawn	10/4/2011	
Francis Joseph Walls Jr	Withdrawn	5/10/2011	
Howard Michael Herman	Withdrawn	1/4/2011	
Krisa Lynn Cardinal	Withdrawn	10/13/2011	
Jerome Stanton	Withdrawn	1/4/2011	
Laura A. Daransky	Withdrawn	6/28/2011	
Adriana Cynthia Zirpoli	Withdrawn	1/27/2011	
Alison Erin Trazzera	Withdrawn	9/23/2011	
DeLora Jean LoDuca	Withdrawn	1/4/2011	
Carl J. Heil	Withdrawn	1/4/2011	
Robert Dimitri Guidice	Withdrawn	5/11/2011	
Nicole Head	Withdrawn	1/4/2011	

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Mary E. Baranick	Withdrawn	1/4/2011	
Pamela Blackshear	Withdrawn	1/4/2011	
Mark Julius Tricano	Withdrawn	1/27/2011	

**Downs Racing, LP**

License Renewed: 9/23/2009

License Expires: 9/22/2012

Petition to Conduct Table Games Deemed Complete: 1/26/2010

Certificate Awarded: 3/16/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Downs Racing, LP</i>			
<i>Facility-Category 1</i>			
Downs Racing, LP	License Renewed	9/23/2009	9/22/2012
<i>Affiliate</i>			
Mohegan Commercial Ventures PA, LLC	License Renewed	9/23/2009	9/22/2012
Mohegan Tribal Gaming Authority	License Renewed	9/23/2009	9/22/2012
Mill Creek Land, LP	License Renewed	9/23/2009	9/22/2012
<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Backside, LP	License Renewed	9/23/2009	9/22/2012
Northeast Concessions, LP	License Renewed	9/23/2009	9/22/2012
Mohegan Tribe of Indians of Connecticut	License Renewed	9/23/2009	9/22/2012
<i>Principal</i>			
Thayne D. Hutchins, Jr.	Approved for Licensure	1/6/2011	1/5/2014
Kathleen M. Regan-Pyne	Approved for Licensure	8/18/2011	8/17/2014
David Andrew Rome	Approved for Licensure	9/14/2011	9/13/2014
Mitchell G. Etess	License Renewed	9/23/2009	9/22/2012
Cheryl Todd	License Renewed	9/23/2009	9/22/2012
Bruce S. Bozsum	License Renewed	9/23/2009	9/22/2012
Jeffrey E. Hartmann	License Renewed	9/23/2009	9/22/2012
Mark F. Brown	License Renewed	9/23/2009	9/22/2012
Leo M. Chupaska	License Renewed	9/23/2009	9/22/2012
William Quidgeon	License Renewed	9/23/2009	9/22/2012
Ralph J. Gessner, Jr.	License Renewed	9/23/2009	9/22/2012
Mark Sperry	Pending		
Jonathan Hamilton	Pending		
Marilynn R. Malerba	Request to Surrender License	9/23/2009	9/22/2012
Allison D. Johnson	Request to Surrender License	9/23/2009	9/22/2012
Mark W. Hamilton	Surrendered License	1/10/2010	
<i>Key Employee</i>			
Bryan E. Olowiany	Approved for Licensure	8/18/2011	8/17/2014
David Christopher Parfrey	Approved for Licensure	6/28/2011	6/27/2014
Merrit C. Nash	Approved for Licensure	12/9/2009	12/8/2012
Maria Teresa Zangardi	Approved for Licensure	6/8/2011	6/7/2014
Joanne Donnelly	Approved for Licensure	8/28/2009	8/27/2012
Julia Felice Gould	Approved for Licensure	8/28/2009	8/27/2012
Ronald J. Chrzan	Approved for Licensure	8/18/2011	8/17/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Jessica Nicole Seemon	Approved for Licensure	3/16/2010	3/15/2013
Kerri K. Buckman	Approved for Licensure	7/29/2010	7/28/2013
Jeffrey George	Approved for Licensure	10/13/2011	10/12/2014
Melissa Sue Anderson	Approved for Licensure	4/29/2010	4/28/2013
Jeffrey John Walker	Approved for Licensure	8/18/2011	8/17/2014
Robert Joseph Pellegrini	Approved for Licensure	9/14/2011	9/13/2014
Dale Rapson	Approved for Licensure	7/29/2010	7/28/2013
Janet Kozokas	Inactive-Approved for Licensure	2/20/2009	2/19/2012
Karen A. Danilowicz	Inactive-Approved for Licensure	2/20/2009	2/19/2012
Joseph P. Rusincovitch	Inactive-Approved for Licensure	2/20/2009	2/19/2012
Sabrina Bertino	Inactive-Approved for Licensure	8/28/2009	8/27/2012
Mackenzie Ann Lucas	Inactive-Approved for Licensure	7/29/2010	7/28/2013
James J. Heist	Inactive-Renewed	5/25/2010	5/24/2013
Brian P. Reynolds	Inactive-Renewed	8/18/2011	8/17/2014
Curtis J. Rogers	Inactive-Renewed	3/16/2010	3/15/2013
Shawn R. Harris	Inactive-Renewed	3/16/2010	3/15/2013
Charles P. Jorda	Inactive-Renewed	4/7/2010	4/6/2013
Cynthia A. Marx	Inactive-Renewed	7/29/2010	7/28/2013
Melissa Fehlinger	License Renewed	5/25/2010	5/24/2013
Tammer M. Tucker	License Renewed	8/18/2011	8/17/2014
Benjamin B. Iverson	License Renewed	4/7/2010	4/6/2013
James Andruskiewicz	License Renewed	3/16/2010	3/15/2013
Mark W. Angelo	License Renewed	6/21/2010	6/20/2013
Kawel B. Laubach	License Renewed	8/18/2011	8/17/2014
Rita M. Polney	License Renewed	3/16/2010	3/15/2013
Sharon A. Aronovitz	License Renewed	9/23/2009	9/22/2012
Anthony Connell McGowan	License Renewed	8/18/2011	8/17/2014
Michael S. Bean	License Renewed	9/23/2009	9/22/2012
Aubrey Daniels	License Renewed	3/16/2010	3/15/2013
Lori A. Dokas	License Renewed	4/7/2010	4/6/2013
Joshua J. Church	License Renewed	3/16/2010	3/15/2013
Robert J. Soper	License Renewed	3/16/2010	3/15/2013
Gavin E. Southworth	License Renewed	4/7/2010	4/6/2013
Thomas M. Brannigan	License Renewed	8/18/2011	8/17/2014
Leonard M. Nardozzo	License Renewed	7/29/2010	7/28/2013
Amy M. Schneider	License Renewed	7/29/2010	7/28/2013
Michael W. Stiefel	License Renewed	8/18/2011	8/17/2014
David T. Zarn	License Renewed	4/29/2010	4/28/2013
Jeffrey L. Wainwright	License Renewed	3/16/2010	3/15/2013
Frederick M. Brown IV	License Renewed	5/25/2010	5/24/2013
Robert Zbyszeski	License Renewed	4/29/2010	4/28/2013
Bernardine M. Radici	License Renewed	4/7/2010	4/6/2013
Dennis Driscoll	License Renewed	4/7/2010	4/6/2013
Jennie Henderson	License Renewed	7/29/2010	7/28/2013



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Kalenna M. Honeywell	License Renewed	8/18/2011	8/17/2014
Ronald Caverly	Pending		
Glenn J. Lawless	Pending		
Kara M. Fox-LaRose	Pending		
Susana Lynn Segars	Pending		

**Greenwood Gaming and Entertainment, Inc.**

License Renewed: 9/16/2010

License Expires: 9/15/2013

Petition to Conduct Table Games Deemed Complete: 2/16/2010

Certificate Awarded: 3/16/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Greenwood Gaming and Entertainment, Inc.</i>			
<i>Facility-Category 1</i>			
Greenwood Gaming and Entertainment, Inc.	License Renewed	9/16/2010	9/15/2013
<i>Affiliate</i>			
Greenwood Gaming Services Co.	Approved for Licensure	9/16/2010	9/15/2013
Keystone Park Services, Co.	Approved for Licensure	9/16/2010	9/15/2013
Green Racing Management Company	Approved for Licensure	9/16/2010	9/15/2013
Bensalem Park Maintenance, Ltd.	Approved for Licensure	9/16/2010	9/15/2013
Bettor Technology, Inc.	Approved for Licensure	9/16/2010	9/15/2013
Casino Food Services Inc.	Approved for Licensure	9/16/2010	9/15/2013
Greenwood G&E Holding, Inc.	License Renewed	9/16/2010	9/15/2013
International Turf Investment Company, Inc.	License Renewed	9/16/2010	9/15/2013
Koorungal Holdings B.V.	License Renewed	9/16/2010	9/15/2013
Koorungal Holdings Curacao N.V.	License Renewed	9/16/2010	9/15/2013
Greenwood Racing, Inc.	License Renewed	9/16/2010	9/15/2013
<i>Principal Entity</i>			
Rock Limited	License Renewed	9/16/2010	9/15/2013
Bensalem Racing Association, Inc.	License Renewed	9/16/2010	9/15/2013
Keystone Turf Club, Inc.	License Renewed	9/16/2010	9/15/2013
<i>Principal</i>			
Richard J. Kendle	License Renewed	9/16/2010	9/15/2013
Wachte A. Manoukian	License Renewed	9/16/2010	9/15/2013
Terrence A. Everett	License Renewed	9/16/2010	9/15/2013
Anthony D. Ricci, Jr.	License Renewed	1/8/2010	1/7/2013
Herbert G. Baerwitz	License Renewed	9/16/2010	9/15/2013
Robert W. Green	License Renewed	9/16/2010	9/15/2013
James Lane	License Renewed	9/16/2010	9/15/2013
William E. Hogwood	License Renewed	9/16/2010	9/15/2013
David Charles Budd	Pending		
<i>Key Employee</i>			
Felicia L. Odum	Approved for Licensure	4/8/2009	4/7/2012
Joseph William Wilson	Approved for Licensure	4/29/2010	4/28/2013
Joshua David Hofbauer	Approved for Licensure	8/18/2011	8/17/2014
William Fleck	Approved for Licensure	7/15/2009	7/14/2012
Kelly Gerrity	Approved for Licensure	4/22/2009	4/21/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Jason Eddings	Approved for Licensure	8/28/2009	8/27/2012
Joseph Hensley	Approved for Licensure	4/22/2009	9/21/2012
Anthony Faranca	Approved for Licensure	3/16/2010	3/15/2013
Thomas R. Lamassa	Approved for Licensure	8/28/2009	8/27/2012
Leonard M. DeAngelo	Approved for Licensure	9/14/2011	9/13/2014
Tricia Tralka	Approved for Licensure	4/22/2009	4/21/2012
Pablo Fernando Dishman	Approved for Licensure	6/28/2011	6/27/2014
Robert Warren Kahler	Approved for Licensure	4/28/2011	4/27/2014
John Gary Luderitz	Approved for Licensure	9/14/2011	9/13/2014
Carrie Anne Nork-Minelli	Approved for Licensure	1/6/2011	1/5/2014
Gerald Fretz	Approved for Licensure	8/28/2009	8/27/2012
Nicolle Marie Miller	Approved for Licensure	1/6/2011	1/5/2014
Judson James Boyer	Approved for Licensure	6/28/2011	6/27/2014
Ari Mizrachi	Approved for Licensure	6/28/2011	6/27/2014
John Joseph Martinelli	Approved for Licensure	3/23/2011	3/22/2014
Remaitha Polite	Approved for Licensure	2/20/2009	2/19/2012
Bryan P. Schroeder	Approved for Licensure	2/20/2009	2/19/2012
Dale Edward Walton	Approved for Licensure	1/6/2011	1/5/2014
Paul Hyung Yoo	Expired	1/8/2010	1/7/2011
David Lee Kessler	Inactive-Approved for Licensure	9/14/2011	9/13/2014
David S. Jonas	Inactive-Renewed	1/8/2010	1/7/2013
Allen N. Strauss	License Renewed	4/8/2009	4/7/2012
Remaitha Polite	License Renewed	1/6/2011	1/5/2014
Robert J. Kirby	License Renewed	11/18/2009	11/17/2012
Janet DelBorrello	License Renewed	11/18/2009	11/17/2012
Gary E. Prestage	License Renewed	6/28/2011	6/27/2014
Thomas C. Bonner	License Renewed	2/20/2009	2/19/2012
Andrew J. Green	License Renewed	11/18/2009	11/17/2012
Francis E. McDonnell	License Renewed	4/8/2009	4/7/2012
Bryan P. Schroeder	License Renewed	6/28/2011	6/27/2014
Vatche Manoukian	License Renewed	1/8/2010	1/7/2013
Syed Azharuddin	License Renewed	5/25/2010	5/24/2013
Arthur J. Dixon	License Renewed	4/8/2009	4/7/2012
David Ziegler	License Renewed	8/18/2011	8/17/2014
Richelle Ruemeli	License Renewed	4/22/2009	4/21/2012
Darlene Monzo	License Renewed	6/28/2011	6/27/2014
Terry McCarthy	License Renewed	7/29/2010	7/28/2013
Anne Johnson	License Renewed	2/20/2009	2/19/2012
Matthew W. Hayes	License Renewed	7/29/2010	7/28/2013
Anne Johnson	License Renewed	7/29/2010	7/28/2013
Skye B. Gallagher	License Renewed	2/20/2009	2/19/2012
David Quinn	License Renewed	2/20/2009	2/19/2012
Ronald W. Davis	License Renewed	2/20/2009	2/19/2012
Darlene Monzo	License Renewed	2/20/2009	2/19/2012
Ronald W. Davis	License Renewed	1/6/2011	1/5/2014
Shane Stone	License Renewed	7/29/2010	7/28/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Shane Stone	License Renewed	2/20/2009	2/19/2012
Matthew William Hayes	License Renewed	2/20/2009	2/19/2012
David L. Norcutt, Sr.	License Renewed	4/8/2009	4/7/2012
Bette A. Strauss	License Renewed	4/8/2009	4/7/2012
Thomas C. Bonner	License Renewed	7/29/2010	7/28/2013
Mark E. Cizenski	License Renewed	5/25/2010	5/24/2013
Lance D. Hollander	Pending		
Steven Arthur Fayne	Pending		
Rosemarie McElroy	Pending		
Urian Xavier Diaz	Withdrawn	4/26/2011	
Kathleen Meci	Withdrawn	5/4/2011	
John David Casagrande	Withdrawn	7/12/2011	
Leonard Witkowski	Withdrawn	3/15/2011	
Michael Anthony Doyle	Withdrawn	7/12/2011	
John J. Kirk	Withdrawn	12/6/2011	
Michael Errico Jr.	Withdrawn	2/25/2011	
James Alfred Rigot	Withdrawn	12/6/2011	
Lowell L. Jacobsen, Jr.	Withdrawn	3/15/2011	
David Quinn	Withdrawn	3/15/2011	
David Abernethy	Withdrawn with Prejudice	2/27/2007	

**Mountainview Thoroughbred Racing Association**

License Renewed: 1/10/2010

License Expires: 1/9/2013

Petition to Conduct Table Games Deemed Complete: 3/5/2010

Certificate Awarded: 4/7/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Mountainview Thoroughbred Racing Association</i>			
<i>Facility-Category 1</i>			
Mountainview Thoroughbred Racing Association	License Renewed	1/10/2010	1/9/2013
<i>Affiliate</i>			
eBetUSA.com, Inc.	License Renewed	1/10/2010	1/9/2013
Pennsylvania National Turf Club, Inc.	License Renewed	1/10/2010	1/9/2013
Penn National Gaming, Inc.	License Renewed	1/10/2010	1/9/2013
<i>Principal Entity</i>			
The Carlino Family Trust	Approved for Licensure	1/10/2010	1/9/2013
FIF V PFD LLC	Approved for Licensure	8/28/2009	8/27/2012
Akre Capital Management, LLC	Expired	1/10/2010	1/9/2011
Capital World Investors a Division of Capital Research and Management Company	Notification Received		
Baron Capital Group, Inc. and its subsidiaries	Notification Received		
<i>Principal</i>			
Desiree Ann Burke	Approved for Licensure	10/6/2010	10/5/2013
Wesley Edens	Approved for Licensure	8/28/2009	8/27/2012
Timothy J. Wilmott	Approved for Licensure	8/28/2009	8/27/2012
Gregg Hart	Approved for Licensure	8/28/2009	8/27/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Kyle Martin Sr	Approved for Licensure	4/14/2011	4/13/2014
William J. Clifford	License Renewed	1/10/2010	1/9/2013
John V. Finamore	License Renewed	1/10/2010	1/9/2013
Thomas N. Auriemma	License Renewed	1/10/2010	1/9/2013
Robert P. Levy	License Renewed	1/10/2010	1/9/2013
Robert S. Ippolito	License Renewed	1/10/2010	1/9/2013
Harold Cramer	License Renewed	1/10/2010	1/9/2013
Peter M. Carlino	License Renewed	1/10/2010	1/9/2013
Barbara Z. Shattuck	License Renewed	1/10/2010	1/9/2013
John M. Jacquemin	License Renewed	1/10/2010	1/9/2013
Jordan B. Savitch	License Renewed	1/10/2010	1/9/2013
Saul Reibstein	Pending		
Francis T. Donaghue	Pending		
Jay Anthony Snowden	Pending		
<i>Key Employee</i>			
Thomas Fies Jr.	Approved for Licensure	4/22/2009	4/21/2012
Laura Ann Muniz	Approved for Licensure	7/29/2010	7/28/2013
Justin Richard Miller	Approved for Licensure	11/18/2009	11/17/2012
Nicholas Tylwalk	Approved for Licensure	7/29/2010	7/28/2013
James Slyman	Approved for Licensure	4/22/2009	4/21/2012
Adrienne E. Hill	Approved for Licensure	7/15/2009	7/14/2012
Joshua Ryan	Approved for Licensure	4/8/2009	4/7/2012
David John Pagerly	Approved for Licensure	7/29/2010	7/28/2013
Murdo Alexander Montgomery	Approved for Licensure	6/28/2011	6/27/2014
Brian Klees	Approved for Licensure	7/29/2010	7/28/2013
Joshua Lee Bicher	Approved for Licensure	3/16/2010	3/15/2013
Jeremy Todd Hughes	Approved for Licensure	7/29/2010	7/28/2013
Javon Quentin White	Approved for Licensure	7/29/2010	7/28/2013
Lucretia A. Fetcho	Approved for Licensure	7/29/2010	7/28/2013
David Lawrence Nesko	Approved for Licensure	7/29/2010	7/28/2013
Debra Lynne Taylor	Approved for Licensure	7/15/2009	7/14/2012
Gene L. Gross	Approved for Licensure	7/29/2010	7/28/2013
Charles Berdinis	Approved for Licensure	2/24/2011	2/23/2014
Stephanie Vroman	Approved for Licensure	11/22/2011	11/21/2014
Zachary C Zarnoch	Approved for Licensure	6/28/2011	6/27/2014
Joseph D Lombardi	Approved for Licensure	10/27/2010	10/26/2013
Francis Edward Quigley	Approved for Licensure	7/29/2010	7/28/2013
Anthony Ciallella	Approved for Licensure	7/29/2010	7/28/2013
Scott Alan Sharrow	Approved for Licensure	1/8/2010	1/7/2013
Anthony P. Casdia	Approved for Licensure	6/28/2011	6/27/2014
Donna Lorraine Byers	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Darryl Wayne Scott	Inactive-Approved for Licensure	1/8/2010	1/7/2013
Diane Genese Cline	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Daniel Benjamin Womer	Inactive-Approved for Licensure	7/29/2010	7/28/2013



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Josue' Molina-Diaz	Inactive-Approved for Licensure	4/8/2009	4/7/2012
Joanne M Rogers	Inactive-Renewed	11/18/2009	11/17/2012
Tanya Pappas	Inactive-Renewed	7/29/2010	7/28/2013
Stephanie Dunkerley	Inactive-Renewed	6/28/2011	6/27/2014
Chy N Stewart	License Renewed	8/18/2011	8/17/2014
Harry Sam Garula III	License Renewed	7/29/2010	7/28/2013
Gretchen E. Garrity	License Renewed	8/18/2011	8/17/2014
Craig Edward Gunkel	License Renewed	8/18/2011	8/17/2014
David Christopher Minor	License Renewed	7/29/2010	7/28/2013
Charles Vincent Dissinger Jr	License Renewed	7/29/2010	7/28/2013
Danielle Espenshade	License Renewed	7/29/2010	7/28/2013
John C. Newman, Sr.	License Renewed	4/8/2009	4/7/2012
Jared Stroupbauer	License Renewed	8/18/2011	8/17/2014
Steven M. Houle	License Renewed	7/29/2010	7/28/2013
Ronald Dawkins	License Renewed	10/13/2011	10/12/2014
Joelle Elizabeth Shearin	Pending		
Gary Bruce Pecorello II	Pending		
Ronald Eugene Schlecht Jr	Pending		
Susan Reyes	Pending		
Laura Palazzo	Withdrawn	4/13/2011	

**Presque Isle Downs, Inc.**

License Renewed: 7/20/2011

License Expires: 7/19/2014

Petition to Conduct Table Games Deemed Complete: 3/19/2010

Certificate Awarded: 4/29/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Presque Isle Downs, Inc.</i>			
<i>Facility-Category 1</i>			
Presque Isle Downs, Inc.	License Renewed	7/20/2011	7/19/2014
<i>Affiliate</i>			
Jacobs Entertainment, Inc.	License Renewed	7/20/2011	7/19/2014
Jacobs Investments, Inc.	License Renewed	7/20/2011	7/19/2014
Jacobs Family Economic Trust dated 9/27/05, Stanley R. Gorom III, Trustee	License Renewed	7/20/2011	7/19/2014
Gameco Holdings, Inc.	License Renewed	7/20/2011	7/19/2014
MTR Gaming Group, Inc.	License Renewed	7/20/2011	7/19/2014
Jacobs Family Control Trust dated 9/27/05, Stanley R. Gorom III, Trustee	License Renewed	7/20/2011	7/19/2014
<i>Principal Entity</i>			
Jeffrey P. Jacobs Revocable Trust, under Declaration of Trust dated July 10, 2000. Jeffrey P. Jacobs, Trustee	Approved for Licensure	7/20/2011	7/19/2014
Brigade Capital Management, LLC	Notification Received		
Fort Hoosac Management LLC (DBA Arbiter Partners QP LP)	Notification Received		
Arbiter Partners QP, LP	Notification Received		
<i>Principal</i>			
Vincent James Azzarello	Approved for Licensure	7/20/2011	7/19/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Narciso Alejandro Rodriguez-Cayro	Approved for Licensure	1/6/2011	1/5/2014
Raymond K Lee	Approved for Licensure	7/20/2011	7/19/2014
Robert A. Blatt	License Renewed	7/20/2011	7/19/2014
James V. Stanton	License Renewed	7/20/2011	7/19/2014
Jeffrey P. Jacobs	License Renewed	7/20/2011	7/19/2014
Richard Jacobs	License Renewed	7/20/2011	7/19/2014
Jeffrey P. Jacobs II	License Renewed	7/20/2011	7/19/2014
Claire L. Jacobs	License Renewed	7/20/2011	7/19/2014
Stanley R. Gorom III	License Renewed	7/20/2011	7/19/2014
Renee E. Jacobs	License Renewed	7/20/2011	7/19/2014
Edson R. Arneault	License Renewed	11/18/2010	11/17/2013
Rose M. Williams	License Renewed	7/20/2011	7/19/2014
John W. Bittner	License Renewed	7/20/2011	7/19/2014
Caroline M. Jacobs	License Renewed	7/20/2011	7/19/2014
Hanna R. Jacobs	License Renewed	7/20/2011	7/19/2014
Richard F. Delatore	License Renewed	7/20/2011	7/19/2014
Lynda L. Jacobs	License Renewed	7/20/2011	7/19/2014
Steven Michael Billick	License Renewed	7/20/2011	7/19/2014
Thomas F. Trygar	License Renewed	7/20/2011	7/19/2014
Jeffrey Jay Dahl	Pending		
Joseph Larry Billhimer	Pending		
Robert J. Norton	Withdrawn	3/9/2011	
David R. Hughes	Withdrawn	1/6/2011	
Anthony Vroblesky	Withdrawn	4/28/2011	
Robert F. Griffin	Withdrawn	1/6/2011	
<i>Key Employee</i>			
Brandon Brook Beaver	Approved for Licensure	3/3/2010	3/2/2013
Charles M. Crane	Approved for Licensure	8/28/2009	8/27/2012
Kevin John Ryan	Approved for Licensure	6/28/2011	6/27/2014
Joseph Leonard Smith Jr	Approved for Licensure	11/22/2011	11/21/2014
Patrick John Smith	Approved for Licensure	11/22/2011	11/21/2014
Carl John Zalewski	Approved for Licensure	10/21/2009	10/20/2012
Daniel Eugene Weston	Approved for Licensure	11/22/2011	11/21/2014
Erick Conrad Friedman	Approved for Licensure	6/28/2011	6/27/2014
Kurt M. Slater	Approved for Licensure	4/22/2009	4/21/2012
Mark Joseph Waldinger	Approved for Licensure	11/22/2011	11/21/2014
Barry Rice	Approved for Licensure	11/22/2011	11/21/2014
Lisa Ann Younkins	Approved for Licensure	1/26/2011	1/25/2014
Jacquelyn C Flak	Inactive-Approved for Licensure	5/25/2010	5/24/2013
Richard A. O'Leary	Inactive-Approved for Licensure	6/28/2011	6/27/2014
Luke M. Goas	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Mariana Skonieczka	Inactive-Approved for Licensure	6/21/2010	6/20/2013
Nicholas F. Barr	Inactive-Approved for Licensure	8/28/2009	8/27/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Andrew M. Dick	Inactive-Approved for Licensure	10/21/2009	10/20/2012
Karl Thomas Lewis	Inactive-Approved for Licensure	6/21/2010	6/20/2013
Stephanie Lee Dewey	Inactive-Approved for Licensure	3/16/2010	3/15/2013
Stuart M. Hoffman	Inactive-Renewed	6/21/2010	6/20/2013
William George Banister Jr	Inactive-Renewed	3/3/2010	3/2/2013
Bobby Powell	Inactive-Renewed	5/25/2010	5/24/2013
Jennifer Anne See	License Renewed	3/25/2009	3/24/2012
Scott Christopher Campbell	License Renewed	10/21/2009	10/20/2012
Adam Terrance Craven	License Renewed	10/21/2009	10/20/2012
Diane D. Claymier	License Renewed	3/25/2009	3/24/2012
Rita D. Smith	License Renewed	11/22/2011	11/21/2014
Daniel Terry Cuic	License Renewed	6/21/2010	6/20/2013
Denise Marie Kovacs	License Renewed	3/16/2010	3/15/2013
David Allen Bates	License Renewed	8/18/2011	8/17/2014
Stephen Paul Danowski	License Renewed	2/10/2011	2/9/2014
Patricia A. Bogart	License Renewed	8/28/2009	8/27/2012
Duane A. Krakowiak	License Renewed	4/8/2009	4/7/2012
Scott Stoller	License Renewed	4/8/2009	4/7/2012
Shayne Leandeur Morrow	License Renewed	10/21/2009	10/20/2012
Stephen Paul Wagner	License Renewed	6/28/2011	6/27/2014
Mark S. Vommaro	License Renewed	6/21/2010	6/20/2013
Thomas William Moore	License Renewed	11/22/2011	11/21/2014
William Syrek	License Renewed	8/28/2009	8/27/2012
Laura J. Whitney	License Renewed	8/28/2009	8/27/2012
Cynthia A. Colvin	License Renewed	5/25/2010	5/24/2013
Roseane Law Paligo	License Renewed	10/21/2009	10/20/2012
Fred Anthony Buro	Pending		
Luisa Marengo-Heifner	Pending		
Brian Staaf	Pending		
Matthew C. Ennis	Renewal App Pending		
Rosanne Thompson	Withdrawn	7/5/2011	
Neal Charles Sloane	Withdrawn	10/24/2011	
Tracy Lee Reinhart	Withdrawn	6/28/2011	
Edward L. Mioduszewski	Withdrawn with Prejudice	1/10/2010	

**Valley View Downs, LP**  
Application Pending: 10/29/2007

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Valley View Downs, LP			
<i>Facility-Category 1</i>			
Valley View Downs, LP	Pending		
<i>Affiliate</i>			
VVD Properties, LP	Pending		
Centaur PA Land, LP	Pending		
Centaur, Inc.	Pending		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Centaur Gaming, LLC	Pending		
Centaur Pennsylvania, LLC	Pending		
Valley View Downs GP, LLC	Pending		
VVD Properties General Partner, LLC	Pending		
Centaur PA Land Management, LLC	Pending		
Centaur PA Land General Partner, LP	Pending		
Centaur, LLC	Pending		
<i>Principal Entity</i>			
Amended and Restated Roderick J. Ratcliff 1999 Grantor Retained Annuity Trust	Pending		
The Robert M. O'Malley 1999 Grantor Retained Annuity Trust	Pending		
<i>Principal</i>			
John Allen Senesac	Pending		
Lillian May Norton	Pending		
Herbert Stephen Norton	Pending		
William Joseph Brost	Pending		
Kurt Edward Wilson	Pending		
Stephen Rea Schreckengast	Pending		
Roderick Jay Ratcliff	Pending		
Allan Charles Bir	Pending		
Larry Budreau	Pending		
Roy Nelson Davis	Pending		
Michael Vernon Raisor	Pending		
R. Michael O'Malley	Pending		
Walter Herbert Kelley	Pending		
Stephen Maurice Thompson	Pending		
Jeffrey Michael Smith	Pending		
Albert H. Schumaker II	Pending		
Ingrid Christine Nelson	Pending		
<i>Key Employee</i>			
Joseph DeRosa	Pending		

**Washington Trotting Association, Inc.**

License Renewed: 8/18/2011

License Expires: 8/17/2014

Petition to Conduct Table Games Deemed Complete: 3/4/2010

Certificate Awarded: 4/29/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Washington Trotting Association, Inc.</i>			
<i>Facility-Category 1</i>			
Washington Trotting Association, Inc.	License Renewed	8/18/2011	8/17/2014
<i>Affiliate</i>			
Consolidated Custodians International Limited	Approved for Licensure	2/24/2011	2/23/2014
Consolidated Press Financial Services PTY Limited	Approved for Licensure	2/24/2011	2/23/2014
Consolidated Press Holdings Limited	Approved for Licensure	2/24/2011	2/23/2014
Consolidated Press International Limited	Approved for Licensure	2/24/2011	2/23/2014



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Crown Entertainment Group Holdings Pty Ltd	Approved for Licensure	2/24/2011	2/23/2014
Crown Group Finance Limited	Approved for Licensure	2/24/2011	2/23/2014
Bareage Pty Limited	Approved for Licensure	2/24/2011	2/23/2014
Crown Limited	Approved for Licensure	2/24/2011	2/23/2014
Cairnton Pty Limited	Approved for Licensure	2/24/2011	2/23/2014
Crown CCR Group Holdings One Pty Ltd	Approved for Licensure	2/24/2011	2/23/2014
Consolidated Press International Holdings Limited	Approved for Licensure	2/24/2011	2/23/2014
Crown CCR Holdings General Partnership	Approved for Licensure	2/24/2011	2/23/2014
Crown CCR Group Investments One, LLC	Approved for Licensure	2/24/2011	2/23/2014
Crown CCR Holdings, LLC	Approved for Licensure	2/24/2011	2/23/2014
Crown CCR Group Investments Two, LLC	Approved for Licensure	2/24/2011	2/23/2014
Crown CCR Group Holdings Two Pty Ltd	Approved for Licensure	2/24/2011	2/23/2014
Northkom Pty Limited	Approved for Licensure	2/24/2011	2/23/2014
Cairnton Holdings Limited	Approved for Licensure	2/24/2011	2/23/2014
Mountain Laurel Racing, Inc.	License Renewed	8/18/2011	8/17/2014
Millennium Gaming, Inc.	License Renewed	8/18/2011	8/17/2014
PA Meadows, LLC	License Renewed	8/18/2011	8/17/2014
PA MezzCo, LLC	License Renewed	8/18/2011	8/17/2014
OCM AcquisitionCo, LLC	License Renewed	8/18/2011	8/17/2014
OCM Blocker, LLC	License Renewed	8/18/2011	8/17/2014
Cannery Casino Resorts, LLC	License Renewed	8/18/2011	8/17/2014
OCM VoteCo, LLC	License Renewed	8/18/2011	8/17/2014
OCM HoldCo, LLC	License Renewed	8/18/2011	8/17/2014
<i>Principal Entity</i>			
Custodians Settlement (No. 8)	Approved for Licensure	2/24/2011	2/23/2014
Cannery Casino Resorts Finance Corporation	Approved for Licensure	5/11/2011	5/10/2014
CCR Racing Management	License Renewed	8/18/2011	8/17/2014
Magna Entertainment Corporation	License Renewed	8/18/2011	8/17/2014
OCM InvestCo, LLC	License Renewed	8/18/2011	8/17/2014
CCR Pennsylvania Racing, Inc.	License Renewed	8/18/2011	8/17/2014
CCR Pennsylvania Food Service, Inc.	License Renewed	8/18/2011	8/17/2014
Janus Capital Management LLC	Withdrawn	1/26/2011	
<i>Principal</i>			
James D. Packer	Approved for Licensure	2/24/2011	2/23/2014
John H. Alexander	Approved for Licensure	2/24/2011	2/23/2014
Richard W. Turner	Approved for Licensure	2/24/2011	2/23/2014
Rowena Danziger	Approved for Licensure	2/24/2011	2/23/2014
Kenneth McRae Barton	Approved for Licensure	8/18/2011	8/17/2014
Carl Stix	Approved for Licensure	8/28/2009	8/27/2012
Rowen B. Craigie	Approved for Licensure	2/24/2011	2/23/2014
Michael R. Johnston	Approved for Licensure	2/24/2011	2/23/2014
Michael J. Neilson	Approved for Licensure	2/24/2011	2/23/2014
Gretel Packer	Approved for Licensure	2/24/2011	2/23/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Ashok P. Jacob	Approved for Licensure	2/24/2011	2/23/2014
William Joseph Paulos	License Renewed	8/18/2011	8/17/2014
Carl Stix	License Renewed	8/18/2011	8/17/2014
Ryan S. Toland	License Renewed	8/18/2011	8/17/2014
Thomas A. Lettero	License Renewed	8/18/2011	8/17/2014
Xavier Bernard Walsh	License Renewed	8/18/2011	8/17/2014
John B. Frank	License Renewed	8/18/2011	8/17/2014
Bruce A. Karsh	License Renewed	8/18/2011	8/17/2014
David M. Kirchheimer	License Renewed	8/18/2011	8/17/2014
Howard S. Marks	License Renewed	8/18/2011	8/17/2014
Guy T. Hillyer	License Renewed	8/18/2011	8/17/2014
Ronald N. Beck	License Renewed	8/18/2011	8/17/2014
Michael A. Day	License Renewed	5/25/2010	5/24/2013
Sheldon M. Stone	License Renewed	8/18/2011	8/17/2014
William C. Wortman	License Renewed	8/18/2011	8/17/2014
Stephen A. Kaplan	License Renewed	8/18/2011	8/17/2014
Benjamin Alexander Brazil	Pending		
Heidi June Hamers	Pending		
Christopher Corrigan	Withdrawn	1/26/2011	
Benjamin Brazil	Withdrawn	1/26/2011	
William Nisbet	Withdrawn	1/26/2011	
Thomas Ross	Withdrawn	1/26/2011	
Thomas J. Gallagher	Withdrawn	1/26/2011	
Andrew Leitch	Withdrawn	1/26/2011	
David E. Elmslie	Withdrawn	1/26/2011	
Geoffrey Dixon	Withdrawn	1/26/2011	
David Lowy	Withdrawn	1/26/2011	
Robert B. Davis	Withdrawn	1/26/2011	
Robert F.E. Turner	Withdrawn	1/26/2011	
John O'Neill	Withdrawn	1/26/2011	
<i>Key Employee</i>			
Catherine Morganti	Approved for Licensure	11/4/2009	11/3/2012
Virginia M. Schussler	Approved for Licensure	11/4/2009	11/3/2012
Kevin T. Woodson	Approved for Licensure	4/8/2009	4/7/2012
Lance Brady Young	Approved for Licensure	10/13/2011	10/12/2014
Susan Marie Pro	Approved for Licensure	1/26/2011	1/25/2014
Janet Nicole Denson	Approved for Licensure	7/29/2010	7/28/2013
Jeffrey D. Pleta	Approved for Licensure	3/25/2009	3/24/2012
Elliott Anthony Frazier	Approved for Licensure	2/24/2011	2/23/2014
Nicole Newlon Zimmerman	Approved for Licensure	11/22/2011	11/21/2014
Timothy Bedillion	Approved for Licensure	8/18/2011	8/17/2014
Todd A Wagner	Approved for Licensure	7/29/2010	7/28/2013
Bradley Michael Simpson	Approved for Licensure	10/13/2011	10/12/2014
Phillip Eugene Barnett	Approved for Licensure	11/22/2011	11/21/2014
Monique Lanae Stewart	Approved for Licensure	11/22/2011	11/21/2014
Sean Sullivan	Approved for Licensure	5/25/2011	5/24/2014
George Brian Beinhauer	Approved for Licensure	10/13/2011	10/12/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Kathleen Louise Prieto	Approved for Licensure	10/13/2011	10/12/2014
Adrian Richard Ashmore	Approved for Licensure	4/8/2009	4/7/2012
Kathy A Baccaro	Approved for Licensure	3/3/2010	3/2/2013
Kelly C. Harvison	Approved for Licensure	11/4/2009	11/3/2012
John Schussler	Approved for Licensure	8/18/2011	8/17/2014
Jerri Lynn Corfont-Anesetti	Approved for Licensure	7/29/2010	7/28/2013
Sandra L Davidson	Approved for Licensure	9/16/2010	9/15/2013
Kevin Michael Salo	Approved for Licensure	3/25/2009	3/24/2012
Peggy L Battistella	Approved for Licensure	8/18/2011	8/17/2014
Martin Louis Kolovich	Approved for Licensure	10/13/2011	10/12/2014
Mark Jonathon Peters	Approved for Licensure	8/18/2011	8/17/2014
Rose A Eger	Approved for Licensure	8/18/2011	8/17/2014
Steven William Hartmann	Approved for Licensure	7/29/2010	7/28/2013
Frances A Scharf	Approved for Licensure	9/16/2010	9/15/2013
Jamie Ellen Wright	Approved for Licensure	1/6/2011	1/5/2014
Tracy M Mihalek	Approved for Licensure	1/6/2011	1/5/2014
Jill Marie Bejger-Frederick	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Ryan Uhrig	Inactive-Approved for Licensure	11/4/2009	11/3/2012
Jennifer M Siller	Inactive-Approved for Licensure	6/21/2010	6/20/2013
Amanda M. Monticue	Inactive-Approved for Licensure	4/8/2009	4/7/2012
Walter L. Alrutz, Jr.	Inactive-Renewed	3/16/2010	3/15/2013
Cynthia Marie Boyd	Inactive-Renewed	11/4/2009	11/3/2012
Ronald A Rossi	Inactive-Renewed	3/16/2010	3/15/2013
Douglas A. Kaminski	Inactive-Renewed	3/25/2009	3/24/2012
Kery Lee Chase	License Renewed	8/18/2011	8/17/2014
Michael E. Jeannot	License Renewed	3/3/2010	3/2/2013
Michael Steven Keelon	License Renewed	3/16/2010	3/15/2013
Timothy Timko	License Renewed	10/13/2011	10/12/2014
Charles R Sawhill	License Renewed	3/16/2010	3/15/2013
Deborah L. Hauser	License Renewed	11/4/2009	11/3/2012
Daniel McKinney	License Renewed	8/28/2009	8/27/2012
William P Lutz III	License Renewed	3/16/2010	3/15/2013
Robert W Dunn	License Renewed	3/16/2010	3/15/2013
John L. Allen	License Renewed	4/7/2010	4/6/2013
Alannah Jeanne Taylor	License Renewed	3/16/2010	3/15/2013
Michael J. Jankoviak	License Renewed	4/8/2009	4/7/2012
James Quentin Henderson	License Renewed	3/16/2010	3/15/2013
Karen E Nickens	License Renewed	6/21/2010	6/20/2013
Pamela M Reuter	License Renewed	3/3/2010	3/2/2013
Mary C. McGrath	License Renewed	8/28/2009	8/27/2012
Sherry F. Salisbury	License Renewed	2/24/2011	2/23/2014
Jill M Eden	License Renewed	3/16/2010	3/15/2013
Brenda Lorraine Decker	Pending		
David James Sutak	Pending		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Tanya Kay Kash	Pending		
Charles Foster Lough II	Pending		
David Gerard Wiegmann	Pending		
Jennifer R Zaramba	Pending		
Camille Renae Kobrys	Pending		

**Category 2 Facilities****Holdings Acquisition Co, L.P.**

License Renewed: 9/14/2011

License Expires: 9/13/2014

Petition to Conduct Table Games Deemed Complete: 3/24/2010

Certificate Awarded: 5/25/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Holdings Acquisition Co, L.P.</i>			
<i>Facility-Category 2</i>			
Holdings Acquisition Co, L.P.	License Renewed	9/14/2011	9/13/2014
<i>Affiliate</i>			
Walton Majestic Star Holdings VI, L.P.	License Renewed	9/14/2011	9/13/2014
Holdings Acquisition Co GP, L.L.C.	License Renewed	9/14/2011	9/13/2014
Pittsburgh Gaming Investors Intermediate, LLC	License Renewed	9/14/2011	9/13/2014
PITG Entertainment, LLC	License Renewed	9/14/2011	9/13/2014
Pittsburgh Gaming Investors GP, LLC	License Renewed	9/14/2011	9/13/2014
Pittsburgh Gaming Holdings GP, L.L.C.	License Renewed	9/14/2011	9/13/2014
Pittsburgh Gaming Holdings, L.P.	License Renewed	9/14/2011	9/13/2014
High Pitt Gaming GP, L.L.C.	License Renewed	9/14/2011	9/13/2014
Pittsburgh Gaming Investors, LP	License Renewed	9/14/2011	9/13/2014
High Pitt Gaming, LP	License Renewed	9/14/2011	9/13/2014
2002 LNB Family Dynasty Trust	License Renewed	9/14/2011	9/13/2014
2002 AGB Family Dynasty Trust	License Renewed	9/14/2011	9/13/2014
Walton Street Managers VI, LP	License Renewed	9/14/2011	9/13/2014
Holdings Gaming Borrower GP, L.L.C.	License Renewed	9/14/2011	9/13/2014
Jurat Holdings, LLC	License Renewed	9/14/2011	9/13/2014
Walton Majestic Star Holdings VI GP, LLC	License Renewed	9/14/2011	9/13/2014
Meredith A. Bluhm-Wolf 2006 Family GST Trust	License Renewed	9/14/2011	9/13/2014
Holdings Gaming Borrower, L.P.	License Renewed	9/14/2011	9/13/2014
PITG Gaming Investor Holdings, LLC	License Renewed	9/14/2011	9/13/2014
WSC Managers VI, Inc.	License Renewed	9/14/2011	9/13/2014
<i>Principal Entity</i>			
General Retirement System of the City of Detroit	Approved for Licensure	9/14/2011	9/13/2014
PGI Senior Preferred Holdings GP, L.L.C.	Approved for Licensure	9/14/2011	9/13/2014
PGI Senior Preferred Holdings, L.P.	Approved for Licensure	9/14/2011	9/13/2014
Rush Street Gaming Partners, LLC	Approved for Licensure	9/14/2011	9/13/2014
Police and Fire Retirement System of the City of Detroit	Approved for Licensure	9/14/2011	9/13/2014
Rush Street Gaming, LLC	Approved for Licensure	9/14/2011	9/13/2014
Cira Pittsburgh Gaming Investor, L.P.	License Renewed	9/14/2011	9/13/2014



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Cira Pittsburgh Gaming Investor GP, LLC	License Renewed	9/14/2011	9/13/2014
GAC Oversight, L.L.C.	License Renewed	9/14/2011	9/13/2014
PGO, L.P.	License Renewed	9/14/2011	9/13/2014
PGO GP, L.L.C.	Renewal App Pending		
<i>Principal</i>			
David G. Patent	Approved for Licensure	8/18/2011	8/17/2014
Joseph Richard Scibetta	Approved for Licensure	9/14/2011	9/13/2014
Ira M. Lubert	License Renewed	9/14/2011	9/13/2014
Nicholas Bluhm Helfand	License Renewed	9/14/2011	9/13/2014
Anna Bea Wolf	License Renewed	9/14/2011	9/13/2014
William Gordon Helfand	License Renewed	9/14/2011	9/13/2014
Neil Bluhm	License Renewed	9/14/2011	9/13/2014
Kenneth J. Weaver	License Renewed	9/14/2011	9/13/2014
Jeffrey S. Quicksilver	License Renewed	9/14/2011	9/13/2014
Meredith A. Bluhm-Wolf	License Renewed	9/14/2011	9/13/2014
Michelle R. Sherman	License Renewed	9/14/2011	9/13/2014
Leslie N. Bluhm	License Renewed	9/14/2011	9/13/2014
Andrew G. Bluhm	License Renewed	9/14/2011	9/13/2014
Eric C. Mogentale	License Renewed	9/14/2011	9/13/2014
Gregory Carlin	License Renewed	9/14/2011	9/13/2014
Hudson Jonah Bluhm	License Renewed	9/14/2011	9/13/2014
James Morris Wolf	License Renewed	9/14/2011	9/13/2014
Cooper Benjamin Bluhm	License Renewed	9/14/2011	9/13/2014
Emmett Gordon Bluhm	License Renewed	9/14/2011	9/13/2014
Ira J. Schulman	License Renewed	9/14/2011	9/13/2014
Abraham T Han	Pending		
Jon Soren Reynertson	Pending		
William Robinson, Jr.	Surrendered License	2/3/2009	
Larry C. McCrae	Surrendered License	2/3/2009	
Gladys E. Bettis	Surrendered License	2/3/2009	
James Pierpont Baker	Surrendered License	2/3/2009	
Don H. Barden	Withdrawn	10/13/2011	
Albert T Liu	Withdrawn	8/18/2011	
<i>Key Employee</i>			
Robert George Dering	Approved for Licensure	7/29/2010	7/28/2013
Helen Carrie Kessler	Approved for Licensure	3/23/2011	3/22/2014
Thomas Quigley	Approved for Licensure	8/19/2010	8/18/2013
Andre Barnabei	Approved for Licensure	4/22/2009	4/21/2012
Timothy Andrew Hill	Approved for Licensure	10/13/2011	10/12/2014
William J Stepien	Approved for Licensure	8/18/2011	8/17/2014
Michael Duane O'Brien	Approved for Licensure	8/18/2011	8/17/2014
William Charles Winkelried	Approved for Licensure	8/18/2011	8/17/2014
Dana Starr Picciarelli	Approved for Licensure	7/29/2010	7/28/2013
Adam David Fischer	Approved for Licensure	5/25/2011	5/24/2014
Benjamin Bruce Hetrick	Approved for Licensure	8/19/2010	8/18/2013
Mark Konrad Wolz	Approved for Licensure	8/18/2011	8/17/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Timothy R. Mura	Approved for Licensure	8/18/2011	8/17/2014
Uriah Joseph Leddy	Approved for Licensure	3/16/2010	3/15/2013
David B Davison	Approved for Licensure	8/18/2011	8/17/2014
Robert Dennis Harsch	Approved for Licensure	7/29/2010	7/28/2013
Felix Manuel Diaz	Approved for Licensure	10/13/2011	10/12/2014
Ryan Mark Hatch	Approved for Licensure	7/29/2010	7/28/2013
Giorgio Isella	Approved for Licensure	10/13/2011	10/12/2014
April Catherine Sheats	Approved for Licensure	3/16/2010	3/15/2013
Barbara Ann Domagala	Approved for Licensure	3/16/2010	3/15/2013
Dannielle Elizabeth Cisneros	Approved for Licensure	10/13/2011	10/12/2014
Lisa Nicole Smart	Approved for Licensure	8/18/2011	8/17/2014
Kenneth Rambo	Approved for Licensure	3/25/2009	3/24/2012
Brian Michael Kernan	Approved for Licensure	3/23/2011	3/22/2014
Joseph Patrick Barrett Sr	Inactive-Approved for Licensure	5/25/2011	5/24/2014
Sharon Marie Baughman	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Janet Marie Haag	Inactive-Approved for Licensure	5/25/2010	5/24/2013
Robert Elwood Swarner	Inactive-Approved for Licensure	3/16/2010	3/15/2013
Brandon Tyler Yaconis	Inactive-Approved for Licensure	4/29/2010	4/28/2013
Timothy Edward Anderson	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Gregory James Kupetz	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Jerry Michael Davis	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Tim Lee Pugh	Inactive-Approved for Licensure	8/18/2011	8/17/2014
Robert G. Fitzpatrick	Inactive-Approved for Licensure	9/23/2009	9/22/2012
Michael Rodriguez	License Renewed	3/25/2009	3/24/2012
Brian Michael Pauley	License Renewed	5/25/2010	5/24/2013
Rhonda L. Gilchrist	License Renewed	1/6/2011	1/5/2014
Todd David Watkins	Pending		
Carl R. Morgan	Pending		
Jonathan Michael Angelo	Pending		
John Robert Boyle	Pending		
James Daniel Cahill	Pending		
Craig Clark	Pending		
Richard Allan Fitzsimmons	Pending		
Charles Samuel Green	Pending		
John Wayne Cutch	Pending		
Mandi Lynn Marszalek	Request for Withdrawal Pending		
Keith Michael Sherer	Request for Withdrawal Pending		
Mitchell Byrum Sye	Withdrawn	6/28/2011	
Danielle Kathleen Bateman	Withdrawn	1/27/2011	

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Michael Bowman	Withdrawn	6/28/2011	
Karen Walker	Withdrawn	6/28/2011	
Michael Alan Newsome	Withdrawn	10/27/2011	
Corey David Plummer	Withdrawn	6/13/2011	
Christy Lynn College	Withdrawn	1/6/2011	
Larry Richard Orndoff	Withdrawn	6/13/2011	
Sandeep Prasad	Withdrawn	6/28/2011	
John L Kovach	Withdrawn	6/13/2011	
Calvin Carlton Early	Withdrawn	5/11/2011	
John Philip Marozzi	Withdrawn	6/13/2011	
Sherell D Burks	Withdrawn with Prejudice	10/6/2010	

**Mount Airy #1, LLC**

Renewal Application Pending: 5/19/2008  
 Petition to Conduct Table Games Deemed Complete: 2/12/2010  
 Certificate Awarded: 4/7/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Mount Airy #1, LLC</i>			
<i>Facility-Category 2</i>			
Mount Airy #1, LLC	Renewal App Pending		
<i>Principal Entity</i>			
Trust—II f/b/o Children of Nicholas DeNaples	Pending		
Grantor Trust—II of Louis D. DeNaples, Jr.	Pending		
Grantor Trust—II of Donna DiLeo	Pending		
Trust—II f/b/o Children of Margaret Mary Glodzik	Pending		
Grantor Trust—II of Dominica DeNaples	Pending		
Grantor Trust—II of Anne Gentile	Pending		
Mount Airy Holdco LLC	Renewal App Pending		
Grantor Trust—II of Lisa DeNaples	Renewal App Pending		
<i>Principal</i>			
Lawrence L. Cole	Approved for Licensure	12/16/2010	12/15/2013
Lucian Patrick Ross	Approved for Licensure	12/16/2010	12/15/2013
Thomas Patrick Cummings Sr	Approved for Licensure	12/6/2011	12/5/2014
Dominick L. DeNaples	Pending		
Sophia S. Glodzik	Pending		
Angelina Dileo	Pending		
Julian S. Glodzik	Pending		
Izabella S. Glodzik	Pending		
Gabrielle A. DeNaples	Pending		
Paul D. DeNaples	Pending		
Dominique Dileo	Pending		
Elizabeth M. DeNaples	Pending		
Christina M. DeNaples	Pending		
Donna D. Dileo	Pending		
Louis A. DeNaples, Jr.	Pending		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Nicola S. DeNaples	Pending		
Louis A. DeNaples III	Pending		
Saverio S. DeNaples	Pending		
Anne E. Gentile	Pending		
Dominica P. DeNaples	Pending		
Louis A. DeNaples	Renewal App Pending	1/30/2008	
Lisa A. DeNaples	Renewal App Pending		
Victor Thomas Weclaw III	Surrendered License		
Anthony F. Ceddia	Surrendered License	5/11/2011	
Paul Lynas Henderson	Surrendered License		
Bradford S. Smith	Withdrawn	3/23/2011	
Robert D. Peloquin, Sr.	Withdrawn	3/23/2011	
Thomas Kay Sturgeon	Withdrawn	8/18/2011	
Barbara A. Lang	Withdrawn	3/23/2011	
Margaret M. Glodzik	Withdrawn	9/14/2011	
Bruce A. Corby	Withdrawn	9/14/2011	
<i>Key Employee</i>			
Talya Dawn Moskauski	Approved for Licensure	7/29/2010	7/28/2013
Allan W. Swantek	Approved for Licensure	9/14/2011	9/13/2014
Joseph P. Princetta	Approved for Licensure	3/3/2010	3/2/2013
Edmondo Granci	Approved for Licensure	4/7/2010	4/6/2013
Lianne L.P. Asbury	Approved for Licensure	6/17/2009	6/16/2012
Michelle A. Zimmerman	Approved for Licensure	11/22/2011	11/21/2014
Carmen Calaf	Approved for Licensure	1/8/2010	1/7/2013
<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
John C. Carroll	Approved for Licensure	7/29/2010	7/28/2013
Michelle Rivera	Approved for Licensure	6/21/2010	6/20/2013
Agnes R. James	Approved for Licensure	3/16/2010	3/15/2013
Eugene Raphael Hill IV	Approved for Licensure	1/8/2010	1/7/2013
John Culetsu	Approved for Licensure	9/14/2011	9/13/2014
Wyval Rosamilia	Approved for Licensure	11/22/2011	11/21/2014
Trevor S. Tasetano	Approved for Licensure	1/8/2010	1/7/2013
Robert J. Phillips	Approved for Licensure	4/7/2010	4/6/2013
Michael Edward Jordan	Approved for Licensure	8/18/2011	8/17/2014
Dennis Asselta	Approved for Licensure	9/14/2011	9/13/2014
Donna P. Carey	Approved for Licensure	3/16/2010	3/15/2013
Paul G. Edwards	Approved for Licensure	4/7/2010	4/6/2013
James William Tuthill	Approved for Licensure	8/18/2011	8/17/2014
Kristen Elaine Walsh	Expired	1/8/2010	1/7/2011
Del Owen Bachman	Expired	1/8/2010	1/7/2011
Preben Wulff	Inactive-Approved for Licensure	3/16/2010	3/15/2013
Livingston N. Simpson	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Kristyn Noel Bunnelle	Inactive-Approved for Licensure	3/16/2010	3/15/2013
Jason Traino	Inactive-Approved for Licensure	2/20/2009	2/19/2012



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Janet S. Ahenger	Inactive-Approved for Licensure	3/16/2010	3/15/2013
Thomas D. Trice	Inactive-Approved for Licensure	4/8/2009	4/7/2012
Melanie A. Brocious	Inactive-Approved for Licensure	6/17/2009	6/16/2012
Christopher R Proulx	Inactive-Approved for Licensure	4/7/2010	4/6/2013
Stephen Dennis Blank	Inactive-Approved for Licensure	1/8/2010	1/7/2013
Larry W Clark	Inactive-Approved for Licensure	4/7/2010	4/6/2013
Andrew C. Barth	Inactive-Renewed	8/18/2011	8/17/2014
Becky L. Tavares	Inactive-Renewed	3/16/2010	3/15/2013
Freda D. Lavender	Inactive-Renewed	3/16/2010	3/15/2013
Ann M. Levandowski	Inactive-Renewed	4/7/2010	4/6/2013
Richard W. Whitby	License Renewed	3/16/2010	3/15/2013
Charles B. Miller	License Renewed	4/7/2010	4/6/2013
Marie T. Sauers	License Renewed	4/7/2010	4/6/2013
Vincent M. Viola	License Renewed	4/7/2010	4/6/2013
Shontae R. Vallejo	License Renewed	8/18/2011	8/17/2014
Amy L. Ferrara	License Renewed	8/18/2011	8/17/2014
Matthew G. Magda	License Renewed	7/29/2010	7/28/2013
Gerard Coggins	License Renewed	8/18/2011	8/17/2014
Elizabeth A. Calkins	License Renewed	3/16/2010	3/15/2013
Eric M. Talipan	License Renewed	8/18/2011	8/17/2014
Henry Patrick Burke	License Renewed	8/18/2011	8/17/2014
Kenneth B. Matthews	License Renewed	3/16/2010	3/15/2013
Mark Williams	License Renewed	8/18/2011	8/17/2014
Philipp Gerard Hawkins	Pending		
Zeng Huang	Pending		
Vincent L. Jordan	Pending		
Tonia Ribble Lewis	Pending		
Frances Kneisc	Pending		
Timothy James Yahn	Withdrawn	1/6/2011	
John P. Conklin	Withdrawn	1/6/2011	
Nereida Rivera	Withdrawn	10/13/2011	
Joann Weber	Withdrawn	11/22/2011	
Martin John Correnti	Withdrawn	5/11/2011	
George Paul Toth	Withdrawn	5/24/2011	
David Lee Kessler	Withdrawn	2/25/2011	
Edwin C. Chou	Withdrawn	1/6/2011	
Mark A. Hanko	Withdrawn	1/6/2011	
Joseph Marut	Withdrawn with Prejudice	12/18/2008	
Donald Shiffer III	Withdrawn with Prejudice	10/27/2010	
Scott R. Lyons	Withdrawn with Prejudice	4/22/2009	

**Sands Bethworks Gaming, LLC**

License Renewed: 4/7/2010

License Expires: 4/6/2013

Petition to Conduct Table Games Deemed Complete: 2/22/10

Certificate Awarded: 4/7/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Sands Bethworks Gaming, LLC</i>			
<i>Facility-Category 2</i>			
Sands Bethworks Gaming, LLC	License Renewed	4/7/2010	4/6/2013
<i>Affiliate</i>			
Las Vegas Sands Corporation	License Renewed	4/7/2010	4/6/2013
Las Vegas Sands, LLC	License Renewed	4/7/2010	4/6/2013
BethWorks GGQ, LLC	License Renewed	4/7/2010	4/6/2013
Venetian Casino Resort, LLC	License Renewed	4/7/2010	4/6/2013
BethWorks FP, LLC	License Renewed	4/7/2010	4/6/2013
BethWorks Now, LLC	License Renewed	4/7/2010	4/6/2013
Sands Pennsylvania, Inc.	License Renewed	4/7/2010	4/6/2013
<i>Principal Entity</i>			
Sheldon G. Adelson December 2008 Three Year LVS Annuity Trust	Approved for Licensure	4/28/2011	4/27/2014
Sheldon G. Adelson 2005 Family Trust	License Renewed	4/7/2010	4/6/2013
Sheldon G. Adelson 2002 Four Year LVSI Annuity Trust	Surrendered License		
<i>Principal</i>			
Daniel William Eitnier	Approved for Licensure	10/21/2009	10/20/2012
Kenneth Jeffrey Kay	Approved for Licensure	11/22/2011	11/21/2014
Jason N. Ader	Approved for Licensure	10/6/2010	10/5/2013
Gary Steven Hernishin	Approved for Licensure	4/28/2011	4/27/2014
Miriam Ochshorn Adelson	Approved for Licensure	10/21/2009	10/20/2012
Michael A. Leven	Approved for Licensure	10/13/2011	10/12/2014
Robert C Rubenstein	Approved for Licensure	4/28/2011	4/27/2014
Timothy Dennis Stein	Approved for Licensure	4/28/2011	4/27/2014
Kimberly Kay McCabe	Approved for Licensure	4/28/2011	4/27/2014
James C. Schwartzman	License Renewed	4/7/2010	4/6/2013
Barry M. Gosin	License Renewed	4/7/2010	4/6/2013
Sheldon G. Adelson	License Renewed	4/7/2010	4/6/2013
Pasquale T. Deon	License Renewed	4/7/2010	4/6/2013
Richard S. Fischbein	License Renewed	4/7/2010	4/6/2013
Irwin A. Siegel	License Renewed	4/7/2010	4/6/2013
Robert G. Goldstein	License Renewed	4/7/2010	4/6/2013
Frederick H. Kraus	License Renewed	4/7/2010	4/6/2013
Michael J. Perrucci	License Renewed	4/7/2010	4/6/2013
James D. Kuhn	License Renewed	4/7/2010	4/6/2013
Michael Alan Quartieri	Pending		
Timothy Edwards Notaro	Pending		
Jeffrey Howard Schwartz	Pending		
John Peter Caparella	Pending		
Ira Raphaelson	Pending		
Gayle Madilee Hyman	Pending		
<i>Key Employee</i>			

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Charles David Berger	Approved for Licensure	6/10/2010	6/9/2013
Matthew Allan Smolowitz	Approved for Licensure	10/6/2010	10/5/2013
Francis B. Abuisi	Approved for Licensure	3/3/2010	3/2/2013
Lisa Ann Csondor	Approved for Licensure	4/28/2011	4/27/2014
David John Prutzman	Approved for Licensure	7/29/2010	7/28/2013
Charlene V Munoz	Approved for Licensure	7/29/2010	7/28/2013
Sandra Marie Brotzman	Approved for Licensure	7/29/2010	7/28/2013
Elizabeth Ann Peil	Approved for Licensure	7/29/2010	7/28/2013
Karen Louise Slotter	Approved for Licensure	3/23/2011	3/22/2014
Joan Lee Gregg-Peacock	Approved for Licensure	7/29/2010	7/28/2013
Patrick J. Ryan	Approved for Licensure	3/3/2010	3/2/2013
Karen Denise Winns	Approved for Licensure	1/6/2011	1/5/2014
Tyler B Arthur	Approved for Licensure	10/6/2010	10/5/2013
Kolby T Harman	Approved for Licensure	3/3/2010	3/2/2013
Michele Delores Trageser	Approved for Licensure	2/20/2009	2/19/2012
Nicole D Cox	Approved for Licensure	7/29/2010	7/28/2013
David Jeremy Faust	Approved for Licensure	10/13/2011	10/12/2014
Michael David Trageser	Approved for Licensure	10/21/2009	10/20/2012
Steven Milton Wentzel	Approved for Licensure	7/29/2010	7/28/2013
Christina Renee Ebbighausen	Approved for Licensure	3/3/2010	3/2/2013
Michael David Brodnan	Approved for Licensure	10/27/2010	10/26/2013
Richard Edward Snyder	Approved for Licensure	1/6/2011	1/5/2014
Matthew David Oravec	Approved for Licensure	3/3/2010	3/2/2013
Charles William Krueger	Approved for Licensure	7/29/2010	7/28/2013
Brian Kingsley Bigornia	Approved for Licensure	7/29/2010	7/28/2013
David Takeo Omura	Approved for Licensure	7/29/2010	7/28/2013
Marcy Lynn Seltzer	Approved for Licensure	7/29/2010	7/28/2013
John Joseph Kennedy	Approved for Licensure	7/29/2010	7/28/2013
David Neil Terry	Approved for Licensure	10/21/2009	10/20/2012
Chris Whited	Approved for Licensure	7/29/2010	7/28/2013
Matthew Warren Harris	Approved for Licensure	7/29/2010	7/28/2013
Sean Michael Prue	Approved for Licensure	7/29/2010	7/28/2013
JoAnn Mary Novatnack	Approved for Licensure	7/29/2010	7/28/2013
Sukanya Nathomphon Conderino	Approved for Licensure	7/29/2010	7/28/2013
Mark John Evans	Approved for Licensure	7/29/2010	7/28/2013
Scott Howard Lewis	Approved for Licensure	7/29/2010	7/28/2013
Lisa Marie Chirichella	Approved for Licensure	1/6/2011	1/5/2014
Rachel Marie Schneckner	Approved for Licensure	11/18/2009	11/17/2012
Troy Lester Bundy	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Michael John Burke	Inactive-Approved for Licensure	1/6/2011	1/5/2014
Martin J. Doyle	Inactive-Approved for Licensure	2/20/2009	2/19/2012
Joshua Robert Mill	Inactive-Approved for Licensure	1/6/2011	1/5/2014
Leanne Weinstein	Inactive-Approved for Licensure	7/29/2010	7/28/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Jessica Ashley Allen	Inactive-Approved for Licensure	1/6/2011	1/5/2014
Deborah Kay Miller	Inactive-Approved for Licensure	7/29/2010	7/28/2013
Andrew R. Pobuda	Inactive-Approved for Licensure	2/20/2009	2/19/2012
Stephen Thomas Gerkovich	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Michelle Stahley	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Paul Patrick Stegner Jr	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Joseph Merrill Gainer	Inactive-Renewed	7/29/2010	7/28/2013
Richard George Tony	License Renewed	11/18/2009	11/17/2012
Patrice Quirk	License Renewed	3/3/2010	3/2/2013
Brian M. Vetter	License Renewed	3/3/2010	3/2/2013
Michele D. Trageser	License Renewed	8/18/2011	8/17/2014
Holly Lynn Eicher	License Renewed	10/21/2009	10/20/2012
Robert John DeSalvio	License Renewed	2/20/2009	2/19/2012
Robert John DeSalvio	License Renewed	8/18/2011	8/17/2014
Douglas Scott Niethold	License Renewed	3/3/2010	3/2/2013
Kathleen Marie McCracken	License Renewed	10/21/2009	10/20/2012
James L. Dougherty	Pending		
Laura Ann Iverson	Pending		
Denise M. Galloway	Renewal App Pending		
Kevin W. Brady	Renewal App Pending		
Kristine Lianne DeFelice	Surrendered License	4/7/2010	
John Walter Dickert	Surrendered License	5/11/2011	

**Sugarhouse HSP Gaming, LP**

License Renewed: 10/13/2010

License Expires: 10/12/2013

Petition to Conduct Table Games Deemed Complete: 3/26/2010

Certificate Awarded: 5/25/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Sugarhouse HSP Gaming, LP</i>			
<i>Facility-Category 2</i>			
Sugarhouse HSP Gaming, LP	Renewal App Pending		
<i>Affiliate</i>			
Sugarhouse HSP Gaming Finance Corp.	Approved for Licensure	3/23/2011	3/22/2014
RMP Gaming, LLC	License Renewed	10/13/2011	10/12/2014
Neil G. Bluhm Family Descendants Trust	License Renewed	10/13/2011	10/12/2014
High Penn Gaming, LLC	License Renewed	10/13/2011	10/12/2014
Meredith A. Bluhm-Wolf 2006 Family GST Trust	License Renewed	10/13/2011	10/12/2014
HSP Gaming, LP	License Renewed	10/13/2011	10/12/2014
Sugarhouse HSP Gaming Prop. Holdings GP, LLC	License Renewed	10/13/2011	10/12/2014
2002 AGB Family Dynasty Trust	License Renewed	10/13/2011	10/12/2014
2002 LNB Family Dynasty Trust	License Renewed	10/13/2011	10/12/2014



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Sugarhouse HSP Gaming Prop. Mezz GP, LLC	License Renewed	10/13/2011	10/12/2014
RMP Gaming, LP	License Renewed	10/13/2011	10/12/2014
Sugarhouse HSP Gaming Prop. Holdings, LP	License Renewed	10/13/2011	10/12/2014
High Penn Gaming, LP	License Renewed	10/13/2011	10/12/2014
RPRS Gaming, LLC	License Renewed	10/13/2011	10/12/2014
RPRS Gaming, LP	License Renewed	10/13/2011	10/12/2014
Sugarhouse HSP Gaming Prop. Mezz, LP	License Renewed	10/13/2011	10/12/2014
HP Gaming Partners, LP	License Renewed	10/13/2011	10/12/2014
Sugarhouse HSP Gaming Prop. GP, LLC	License Renewed	10/13/2011	10/12/2014
2005 AAA Trust	License Renewed	10/13/2011	10/12/2014
<i>Principal Entity</i>			
Rush Street Gaming, LLC	Approved for Licensure	9/14/2011	9/13/2014
High Penn Oversight GP, LLC	Approved for Licensure	10/13/2011	10/12/2014
High Penn Oversight, LP	Approved for Licensure	10/13/2011	10/12/2014
Rush Street Gaming Partners, LLC	Approved for Licensure	9/14/2011	9/13/2014
Lamb Partners	License Renewed	10/13/2011	10/12/2014
LAMB Company, LLC	License Renewed	10/13/2011	10/12/2014
<i>Principal</i>			
Joseph Richard Scibetta	Approved for Licensure	10/13/2011	10/12/2014
David G. Patent	Approved for Licensure	8/18/2011	8/17/2014
Ayla Potamkin	License Renewed	10/13/2011	10/12/2014
Neil G. Bluhm	License Renewed	10/13/2011	10/12/2014
Andrew G. Bluhm	License Renewed	10/13/2011	10/12/2014
Richard A. Sprague	License Renewed	10/13/2011	10/12/2014
William H. Lamb	License Renewed	10/13/2011	10/12/2014
Leslie N. Bluhm	License Renewed	10/13/2011	10/12/2014
Meredith A. Bluhm-Wolf	License Renewed	10/13/2011	10/12/2014
Thomas A. Sprague	License Renewed	10/13/2011	10/12/2014
Barbara A. Sprague	License Renewed	10/13/2011	10/12/2014
William G. Helfand	License Renewed	10/13/2011	10/12/2014
Emmett G. Bluhm	License Renewed	10/13/2011	10/12/2014
Robert M. Potamkin	License Renewed	10/13/2011	10/12/2014
Gregory A. Carlin	License Renewed	10/13/2011	10/12/2014
Lexie H. Potamkin	License Renewed	10/13/2011	10/12/2014
Alura L. Potamkin	License Renewed	10/13/2011	10/12/2014
James M. Wolf	License Renewed	10/13/2011	10/12/2014
Nicholas B. Helfand	License Renewed	10/13/2011	10/12/2014
Anna B. Wolf	License Renewed	10/13/2011	10/12/2014
Hudson J. Bluhm	License Renewed	10/13/2011	10/12/2014
Jerry Johnson	License Renewed	10/13/2011	10/12/2014
<i>Application Decision Date</i>			
<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Daniel J. Keating	License Renewed	10/13/2011	10/12/2014
Alexander Brockway Potamkin	License Renewed	10/13/2011	10/12/2014
Cooper B. Bluhm	License Renewed	10/13/2011	10/12/2014
Albert T Liu	Withdrawn	8/18/2011	

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Key Employee</i>			
Thomas John Scott	Approved for Licensure	11/22/2011	11/21/2014
Rosemarie A. Cook	Approved for Licensure	11/22/2011	11/21/2014
Janice Marie Swank	Approved for Licensure	10/13/2011	10/12/2014
Randi Lynn Beck	Approved for Licensure	11/22/2011	11/21/2014
Jeffrey M. Lear	Approved for Licensure	11/22/2011	11/21/2014
Linda M Powers	Approved for Licensure	5/25/2011	5/24/2014
Mary L. Cheeks	Approved for Licensure	11/22/2011	11/21/2014
Andrew Thomas Jones	Approved for Licensure	4/29/2010	4/28/2013
Glenn L. McClain	Approved for Licensure	4/22/2009	4/21/2012
Charlene Ruffin	Approved for Licensure	7/29/2010	7/28/2013
William Shreckengost	Approved for Licensure	7/15/2009	7/14/2012
Wendy A. Hamilton	Approved for Licensure	9/14/2011	9/13/2014
Lynette M Lee	Approved for Licensure	11/22/2011	11/21/2014
William Larmour	Approved for Licensure	9/14/2011	9/13/2014
George Ciechanowski	Inactive-Approved for Licensure	9/14/2011	9/13/2014
Maria P. Refsnider	Inactive-Renewed	4/8/2009	4/7/2012
Erin M. McMEnamin	Inactive-Renewed	2/20/2009	2/19/2012
George C. Mancuso	Inactive-Renewed	7/29/2010	7/28/2013
Patricia E. Smylie	License Renewed	11/18/2009	11/17/2012
Nicholas C. Kontonicolos	License Renewed	7/29/2010	7/28/2013
Lisa Susanne Reilly	License Renewed	7/29/2010	7/28/2013
Jared D. Emmer	License Renewed	7/29/2010	7/28/2013
John A. Ranere Jr	Pending		
Suzanne Mary Trout	Pending		
Anthony P. Dilacqua	Pending		
Joseph L. Martin	Pending		
Patricia Sue Tuck	Pending		
Robert D Williams	Pending		
Tamitha T Dinkins	Pending		
Victoria L. Tilton	Pending		
Scott Michael Evans	Pending		
Jesse Eugene Schell	Renewal App Pending		
Erin M. McMEnamin	Renewal App Pending		

### Category 3 Facilities

#### Valley Forge Convention Center Partners, LP

License Issued: 11/23/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Valley Forge Convention Center Partners, L.P.</i>			
<i>Facility-Category 3</i>			
Valley Forge Convention Center Partners, L.P.	Approved for Licensure	5/8/2009	5/7/2012
<i>Affiliate</i>			
CMS VF GP, LLC	Approved for Licensure	4/28/2011	4/27/2014
CMS VF Partners, L.P.	Approved for Licensure	4/28/2011	4/27/2014
CMS Gaming Partners Q, L.P.	Approved for Licensure	4/28/2011	4/27/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Principal Entity</i>			
Carpenters Pension and Annuity Fund of Philadelphia and Vicinity	Approved for Licensure	5/25/2011	5/24/2014
CMS Gaming GP, LLC	Approved for Licensure	4/28/2011	4/27/2014
CanAm Pennsylvania Regional Center, LLC	Approved for Licensure	8/18/2011	8/17/2014
CANAM Enterprises, LLC	Approved for Licensure	8/18/2011	8/17/2014
CMS VRE II Partners	Approved for Licensure	4/28/2011	4/27/2014
Pennsylvania Regional Center, LP V	Approved for Licensure	8/18/2011	8/17/2014
CanAm PA GP V, LLC	Approved for Licensure	8/18/2011	8/17/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Valley Forge Convention Center Partners GP, LLC	License Renewed	8/18/2011	8/17/2014
Valley Forge Colonial Limited Partnership	License Renewed	8/18/2011	8/17/2014
VF Colonial GP, LLC	License Renewed	8/18/2011	8/17/2014
VFCC Merger Sub, L.P.	Withdrawn	9/14/2011	
Delaware Valley Real Estate Investment Fund, L.P. "DVREIF"	Withdrawn	9/14/2011	

*Principal*

Tommy Rosenfeld	Approved for Licensure	8/18/2011	8/17/2014
William A Landman	Approved for Licensure	4/28/2011	4/27/2014
Barbara Evans	License Renewed	8/18/2011	8/17/2014
Michael Heller	License Renewed	8/18/2011	8/17/2014
Kenneth Kochenour	License Renewed	8/18/2011	8/17/2014
Ira M. Lubert	License Renewed	8/18/2011	8/17/2014
Jonathan Lubert	License Renewed	8/18/2011	8/17/2014
Michael Stephen Bowman	Pending		
Richard T. Aljian	Pending		

*Key Employee*

Mark Edward Starrett	License Renewed	8/18/2011	8/17/2014
Daniel W. Finken	License Renewed	4/7/2010	4/6/2013
William Francis Mikus	Pending		
Anthony Spagno	Pending		
Alexis Luis Figueras	Pending		
Saverio R. Scheri III	Pending		
Michael Joseph Gartner	Pending		
Robert David Carmignani	Pending		

**Woodlands Fayette, LLC**

Approved for Licensure: 4/14/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Woodlands Fayette, LLC</i>			
<i>Facility-Category 3</i>			
Woodlands Fayette, LLC	Approved for Licensure	5/25/2011	5/24/2014
<i>Affiliate</i>			
2001 Irrevocable Trust for Margaret H. Magerko	Approved for Licensure	5/20/2011	5/19/2014
Nemacolin Woodlands, Inc.	Approved for Licensure	5/20/2011	5/19/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Isle of Capri Casinos, Inc.	Pending		
<i>Principal Entity</i>			
Thompson, Siegel & Walmsley LLC	Notification Received		
GFIL Holdings, LLC	Pending		
Goldstein Group, Inc.	Pending		
B.I. Isle Partnership, L.P.	Pending		
<i>Principal</i>			
Margaret Ann Magerko	Approved for Licensure	5/20/2011	5/19/2014
Peter J. Magerko	Approved for Licensure	5/20/2011	5/19/2014
Cheri Lee Bomar	Approved for Licensure	5/25/2011	5/24/2014
Joseph Alexander Hardy III	Approved for Licensure	5/20/2011	5/19/2014
Edmund L. Quatmann Jr	Pending		
Michael Richard Fries	Pending		
Lee S. Wielansky	Pending		
James Benn Perry	Pending		
Arnold Lee Block	Pending		
Virginia M. McDowell	Pending		
Dale R. Black	Pending		
Jeffrey D. Goldstein	Pending		
William R. Baker	Pending		
Alan J. Glazer	Pending		
Richard A. Goldstein	Pending		
Timothy A. Ilsley	Pending		
Robert S. Goldstein	Pending		
Shaun R. Hayes	Withdrawn	6/8/2011	
Roger D. Deaton	Withdrawn	10/13/2011	

**Manufacturers****Ainsworth Game Technology**

Slot Machine Manufacturer  
License Renewed: 2/17/2010  
License Expires: 2/16/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Ainsworth Game Technology Limited</i>			
<i>Slot Machine Manufacturer</i>			
Ainsworth Game Technology Limited	License Renewed	2/17/2010	2/16/2013
<i>Principal Entity</i>			
Associated World Investments Pty. Ltd.	License Renewed	2/17/2010	2/16/2013
Votrant No. 1019 Pty. Limited as Trustee for Braesyde Superannuation Fund	License Renewed	2/17/2010	2/16/2013
<i>Principal</i>			
Ian W. Cooper	Approved for Licensure	2/17/2010	2/16/2013
Vincenzo C Bruzzese	Approved for Licensure	2/17/2010	2/16/2013
Richard D. Meitzler	Expired	2/17/2010	2/16/2011
Daniel E. Gladstone	License Renewed	2/17/2010	2/16/2013
Erdal Eskin	License Renewed	2/17/2010	2/16/2013
Graeme J. Campbell	License Renewed	2/17/2010	2/16/2013
Margarete C. Ainsworth	License Renewed	2/17/2010	2/16/2013
Mark L. Ludski	License Renewed	2/17/2010	2/16/2013



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Stewart L. Wallis	License Renewed	2/17/2010	2/16/2013
Leonard H. Ainsworth	License Renewed	2/17/2010	2/16/2013
Paul Y.S. Teng	License Renewed	2/17/2010	2/16/2013
Michael Bruce Yates	Pending		
<i>Key Employee</i>			
Sheila Ann Smith	Approved for Licensure	2/17/2010	2/16/2013
John Fredric Glaser	Pending		

**Aristocrat Technologies Australia Pty. Limited**

Slot Machine Manufacturer  
License Renewed: 5/13/2010  
License Expires: 5/12/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Aristocrat Technologies Australia Pty. Limited</i>			
Slot Machine Manufacturer			
Aristocrat Technologies Australia Pty. Limited	License Renewed	5/13/2010	5/12/2013
<i>Affiliate</i>			
Aristocrat Leisure Limited	License Renewed	5/13/2010	5/12/2013
Aristocrat Holdings Pty. Ltd	License Renewed	5/13/2010	5/12/2013
<i>Principal Entity</i>			
Writeman Pty. Limited	License Renewed	5/13/2010	5/12/2013
Serioso Pty Ltd	License Renewed	5/13/2010	5/12/2013
Thunderbirds Are Go Pty. Ltd	License Renewed	5/13/2010	5/12/2013
The Capital Group Companies, Inc.	Notification Received		
AXA Asia Pacific Holdings Limited	Notification Received		
Sumitomo Mitsui Trust Holdings, Inc.	Notification Received		
National Bank of Australia	Notification Received		
Commonwealth Bank Of Australia	Notification Received		
IIOF Holdings Ltd	Notification Received		
Concord Capital Limited	Notification Received		
Lezard Asset Management Pacific Co.	Notification Received		
Maple-Brown Abbott Limited	Notification Received		
Westpac Banking Corp.	Notification Received		
James R. Odell	Approved for Licensure	5/13/2010	5/12/2013
Antonia Korsanos	Approved for Licensure	5/13/2010	5/12/2013
Simon D.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
David W. Hughes	License Renewed	5/13/2010	5/12/2013
Warren P. Jowett	License Renewed	5/13/2010	5/12/2013
David J. Simpson	License Renewed	5/13/2010	5/12/2013
Roger A. Davis	License Renewed	5/13/2010	5/12/2013
Tracey L. Elkerton	License Renewed	5/13/2010	5/12/2013
Paul L.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Geoffrey G.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Lewis Gerald Flock	Pending		
David Craig Philip Banks	Pending		
Rosalind V Dubs	Withdrawn	10/13/2011	
Patrick Joseph McGlinchey	Withdrawn	8/18/2011	
Sally A.M. Pitkin	Withdrawn	8/18/2011	

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Penelope Morris	Withdrawn	1/26/2011	

**Aristocrat Technologies, Incorporated**

Slot Machine Manufacturer  
License Renewed: 5/13/2010  
License Expires: 5/12/2013

Table Game Manufacturer  
Renewal Application Pending: 12/20/2011  
License Expires: 12/19/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Aristocrat Technologies, Incorporated</i>			
<i>Slot Machine Manufacturer</i>			
Aristocrat Technologies, Incorporated	License Renewed	5/13/2010	5/12/2013
<i>Table Game Manufacturer</i>			
Aristocrat Technologies, Incorporated	License Renewed	12/20/2011	12/19/2014
<i>Affiliate</i>			
Aristocrat Leisure Limited	License Renewed	5/13/2010	5/12/2013
Aristocrat International Pty. Ltd.	License Renewed	5/13/2010	5/12/2013
<i>Principal Entity</i>			
Writeman Pty. Limited	License Renewed	5/13/2010	5/12/2013
Thunderbirds Are Go Pty. Ltd	License Renewed	5/13/2010	5/12/2013
Serioso Pty Ltd	License Renewed	5/13/2010	5/12/2013
Capital Research and Management Company	Notification Received		
<i>Principal</i>			
James R. Odell	Approved for Licensure	5/13/2010	5/12/2013
Seamus M. McGill	Approved for Licensure	5/13/2010	5/12/2013
Nicholas R. Khin	Approved for Licensure	9/16/2010	9/15/2013
David J. Simpson	Inactive-Renewed	5/13/2010	5/12/2013
Tracey L. Elkerton	License Renewed	5/13/2010	5/12/2013
Geoffrey G.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Roger A. Davis	License Renewed	5/13/2010	5/12/2013
Warren P. Jowett	License Renewed	5/13/2010	5/12/2013
Paul L.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Kathleen A. Worley	License Renewed	5/13/2010	5/12/2013
Thomas F. Smock	License Renewed	5/13/2010	5/12/2013
Jason B. Walbridge	License Renewed	5/13/2010	5/12/2013
Simon D.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Jason Allen Goudie	Pending		
Richard Jay Schneider	Pending		
Simon Haydon Ashley	Surrendered License	3/25/2009	
Ronald Michael Dufficy	Surrendered License	12/6/2011	
David W. Hughes	Surrendered License	10/13/2011	
Penelope Morris	Withdrawn	1/26/2011	
Patrick Joseph McGlinchey	Withdrawn	5/11/2011	
<i>Key Employee</i>			
Stephen Frank Castine	Approved for Licensure	11/18/2009	11/17/2012
Brendan Gerard McCarthy	Approved for Licensure	5/25/2010	5/24/2013
Jeffrey R. Baldi	Inactive-Renewed	5/13/2010	5/12/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Kelly L. Shaw	License Renewed	5/13/2010	5/12/2013
Robert A. Perry	Pending		
Sean P Evans	Surrendered License	3/25/2009	

**Aruze Gaming America, Inc.**  
Slot Machine Manufacturer  
Application Pending: 5/1/2006

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Aruze Gaming America, Inc.</i> <i>Slot Machine Manufacturer</i>			
Aruze Gaming America, Inc. <i>Principal</i>	Pending		
Salvatore "Sam" Anthony Basile	Pending		
Richard Michael Pennington	Pending		
Yoshiharu Kawaji	Pending		
Kazuo Okada	Pending		
Bryan Douglas Coy	Pending		
Sean P. Evans	Request for Withdrawal Pending		
Yoshiyuki Shoji	Request for Withdrawal Pending		
Kent Bradley Young	Withdrawn	6/8/2011	
Sandra A. Placak	Withdrawn	9/14/2011	
Jun Fujimoto	Withdrawn	9/14/2011	

**Atlantic City Coin & Slot Service Company, Inc.**  
Slot Machine Manufacturer  
Renewal Application Pending: 12/14/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Atlantic City Coin &amp; Slot Service Company, Inc.</i> <i>Slot Machine Manufacturer</i>			
Atlantic City Coin & Slot Service Company, Inc. <i>Principal Entity</i>	Renewal App Pending		
Max Seelig Revocable Trust	Pending		
ALEA Partners, LLC	Renewal App Pending		
<i>Principal</i>			
Roberto A. Mignone	Renewal App Pending		
David P. Wolfe	Renewal App Pending		
Jeffrey Seelig	Renewal App Pending		
Max Seelig	Renewal App Pending		
Jason Seelig	Renewal App Pending		
Jerald C. Seelig	Renewal App Pending		
Elizabeth Marian Ehresmann	Renewal App Pending		
Thomas McCormick	Renewal App Pending		
Lawrence M. Henshaw	Request for Withdrawal Pending		
<i>Key Employee</i>			
Anthony Joseph Sicari	Approved for Licensure	8/18/2011	8/17/2014
Todd M Mick	Approved for Licensure	4/7/2010	4/6/2013

**Bally Gaming, Inc.**  
 Slot Machine Manufacturer  
 License Renewed: 5/25/2011  
 License Expires: 5/24/2014

Table Game Manufacturer  
 License Renewed: 5/25/2011  
 License Expires: 5/24/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Bally Gaming, Inc.</i>			
<i>Slot Machine Manufacturer</i>			
Bally Gaming, Inc.	License Renewed	5/25/2011	5/24/2014
<i>Table Game Manufacturer</i>			
Bally Gaming, Inc.	License Renewed	5/25/2011	5/24/2014
<i>Affiliate</i>			
Bally Gaming International, Inc.	License Renewed	5/25/2011	5/24/2014
Bally Technologies, Inc.	License Renewed	5/25/2011	5/24/2014
Alliance Holding Company	License Renewed	5/25/2011	5/24/2014
<i>Principal Entity</i>			
Highline Capital Management	Notification Received		
Lazard Asset Management, LLC	Notification Received		
Columbia Wanger Asset Management, L.P.	Notification Received		
Penn Capital Management	Notification Received		
FMR Corp.	Notification Received		
Fred Alger Management, Inc	Notification Received		
BlackRock, Inc	Notification Received		
Eagle Asset Management	Notification Received		
S.A.C. Capital Advisors, LLC and others	Notification Received		
Private Capital Management, L.P.	Notification Received		
Columbia Management Investment Advisers, LLC	Notification Received		
Wellington Management Company	Notification Received		
<i>Principal</i>			
Walter Eldon Eisele	Approved for Licensure	10/13/2011	10/12/2014
Tina M. Kilmer	License Renewed	5/25/2011	5/24/2014
Robert W. Crowder Jr.	License Renewed	5/25/2011	5/24/2014
Richard M. Haddrill	License Renewed	5/25/2011	5/24/2014
Michael J. Mitchell	License Renewed	5/25/2011	5/24/2014
Marc P. Comella	License Renewed	5/25/2011	5/24/2014
Kevin L. Verner	License Renewed	5/25/2011	5/24/2014
Ramesh Srinivasan	License Renewed	5/25/2011	5/24/2014
David B. Robbins	License Renewed	5/25/2011	5/24/2014
Robert L. Guido	License Renewed	5/25/2011	5/24/2014
Neil Davidson	License Renewed	5/25/2011	5/24/2014
Jacques P. Andre	License Renewed	5/25/2011	5/24/2014
Mark D. Lerner	License Renewed	5/25/2011	5/24/2014
Derik Jon Mooberry	Pending		
William McKenna	Pending		
Josephine Linden	Pending		
Michael G. Isaacs	Withdrawn	4/28/2011	



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Robert C. Caller	Withdrawn	1/6/2011	
<i>Key Employee</i>			
Brian R. Pierce	Approved for Licensure	6/17/2009	6/16/2012
Brian F. Block	Inactive-Renewed	6/17/2009	6/16/2012
Beverly A. Wessel	Inactive-Renewed	6/17/2009	6/16/2012
Jeffrey J. Connors	Inactive-Renewed	6/17/2009	6/16/2012
Thomas M. Santoro	License Renewed	6/17/2009	6/16/2012
Gerald J. McGowan	License Renewed	6/17/2009	6/16/2012
Stanley J. Kozlowski	License Renewed	6/17/2009	6/16/2012
Thomas Reilly	License Renewed	6/17/2009	6/16/2012
Peter J. Wichterman	License Renewed	6/17/2009	6/16/2012
Robert Joseph Parente	Pending		

**GTECH Corporation**  
Slot Machine Manufacturer  
License Renewed: 10/27/2010  
License Expires:10/26/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>GTECH Corporation</i>			
<i>Slot Machine Manufacturer</i>			
GTECH Corporation	License Renewed	10/27/2010	10/26/2013
<i>Affiliate</i>			
Lottomatica Group S.p.A	License Renewed	10/27/2010	10/26/2013
Invest Games S.A.	License Renewed	10/27/2010	10/26/2013
GTECH Holdings Corporation	License Renewed	10/27/2010	10/26/2013
B & D Holdings di Marco Drago & C.S.A.p.A	License Renewed	10/27/2010	10/26/2013
De Agostini S.p.A.	License Renewed	10/27/2010	10/26/2013
<i>Principal Entity</i>			
Investendo, S.r.l.	Approved for Licensure	10/27/2010	10/26/2013
FMR Corp	Notification Received		
Mediobanca, SP	Notification Received		
DeA Partecipazioni, S.p.A.	Pending		
<i>Principal</i>			
Francesco Dominic Cecchini	Approved for Licensure	12/6/2011	12/5/2014
Carlo Enrico Ferrari Ardicini	Approved for Licensure	4/14/2011	4/13/2014
Andrea Boroli	Approved for Licensure	3/3/2010	3/2/2013
Walter Giacomo Bugno	Approved for Licensure	12/6/2011	12/5/2014
Donald R. Sweitzer	Approved for Licensure	3/3/2010	3/2/2013
John D. Anderson	Inactive-Approved for Licensure		
Cornelia H.L. O'Connor	Inactive-Renewed	10/27/2010	10/26/2013
Donald W. Reilly	Inactive-Renewed	10/27/2010	10/26/2013
Gerhard H. Burda	Inactive-Renewed	10/27/2010	10/26/2013
Ross W. Dalton	License Renewed	10/27/2010	10/26/2013
Stefano Bortoli	License Renewed	10/27/2010	10/26/2013
Giorgio G.C. Drago	License Renewed	10/27/2010	10/26/2013
Roberto Drago	License Renewed	10/27/2010	10/26/2013
Renzo Lorenzo Pellicoli	License Renewed	10/27/2010	10/26/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Matthew Hughes	License Renewed	10/27/2010	10/26/2013
Paolo Ceretti	License Renewed	10/27/2010	10/26/2013
Jaymin B. Patel	License Renewed	10/27/2010	10/26/2013
Marco Sala	License Renewed	10/27/2010	10/26/2013
Anthony L. Watson	License Renewed	10/27/2010	10/26/2013
Alan T. Eland	License Renewed	10/27/2010	10/26/2013
Alberto Boroli	License Renewed	10/27/2010	10/26/2013
Paolo Boroli	License Renewed	10/27/2010	10/26/2013
Marco Drago	License Renewed	10/27/2010	10/26/2013
Severino Salvemini	License Renewed	10/27/2010	10/26/2013
Marco Boroli	License Renewed	10/27/2010	10/26/2013
Lino Benassi	License Renewed	10/27/2010	10/26/2013
Luke Kenneth Orchard	License Renewed	10/27/2010	10/26/2013
Michael K. Prescott	License Renewed	10/27/2010	10/26/2013
Victor Duarte	License Renewed	10/27/2010	10/26/2013
Pietro Boroli	License Renewed	10/27/2010	10/26/2013
Steven March	License Renewed	10/27/2010	10/26/2013
Rachel Barber	License Renewed	10/27/2010	10/26/2013
Chiara M.G. Boroli	License Renewed	10/27/2010	10/26/2013
Gianmario T. Da Ruos	Pending		
Alberto Dessy	Pending		
William B. Turner	Surrendered License	10/13/2011	
Jeremy J. Hanley	Surrendered License	10/27/2010	
Anthony Ruys	Surrendered License	10/13/2011	
Robert M. Dewey, Jr.	Surrendered License	10/13/2011	
<i>Key Employee</i>			
Robin Drummond	License Renewed	10/27/2010	10/26/2013

**IGT**

Slot Machine Manufacturer  
 License Renewed: 3/9/2011  
 License Expires 3/8/2014

Table Game Manufacturer  
 Approved for Licensure: 3/9/2011  
 License Expires: 3/8/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>IGT</i>			
<i>Slot Machine Manufacturer</i>			
IGT	License Renewed	3/9/2011	3/8/2014
<i>Table Game Manufacturer</i>			
IGT	License Renewed	3/9/2011	3/8/2014
<i>Affiliate</i>			
International Game Technology	License Renewed	3/9/2011	3/8/2014
<i>Principal Entity</i>			
BlackRock, Inc	Notification Received		
Capital World Investors	Notification Received		
American Century Mutual Funds, Inc.	Notification Received		
T. Rowe Price Associates, Inc.	Notification Received		
Private Capital Management, L.P.	Notification Received		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Principal</i>			
Paget L. Alves	Approved for Licensure	4/14/2011	4/13/2014
Christopher John Satchell	Approved for Licensure	3/9/2011	3/8/2014
Robert Carey Melendres	Approved for Licensure	3/9/2011	3/8/2014
Philip Glen Satre	Approved for Licensure	3/9/2011	3/8/2014
David Earle Roberson	Approved for Licensure	1/8/2010	1/7/2013
Patrick W Cavanaugh	Approved for Licensure	11/18/2009	11/17/2012
Robert A. Mathewson	Inactive-Approved for Licensure	11/18/2009	11/17/2012
Patti S. Hart	License Renewed	3/9/2011	3/8/2014
Michelle A. Chatigny	License Renewed	3/9/2011	3/8/2014
Eric A. Berg	Pending		
Vincent Louis Sadusky	Pending		
Janice Durbin Chaffin	Pending		
Eric Paul Tom	Renewal App Pending		
<i>Key Employee</i>			
Andre Lewis Brunette	Approved for Licensure	3/16/2010	3/15/2013
Kenneth E. Kachnic	License Renewed	6/3/2009	6/2/2012
Anthony E. Sofran	License Renewed	6/3/2009	6/2/2012
George P. Kerrigan	License Renewed	3/9/2011	3/8/2014
Adam Michael Cascais	Pending		

**Konami Gaming, Inc.**

Slot Machine Manufacturer  
 License Renewed: 12/20/2011  
 License Expires: 12/19/2014

Table Game Manufacturer  
 License Renewed: 12/20/2011  
 License Expires: 12/19/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Konami Gaming, Inc.</i>			
<i>Slot Machine Manufacturer</i>			
Konami Gaming, Inc.	License Renewed	12/20/11	12/20/14
<i>Table Game Manufacturer</i>			
Konami Gaming, Inc.	License Renewed	12/20/11	12/20/14
<i>Affiliate</i>			
Konami Corporation of America	License Renewed	12/20/11	12/20/14
Kozuki Capital Corporation	License Renewed	12/20/11	12/20/14
Stichting Administratiekantoor Highmoon	License Renewed	12/20/11	12/20/14
The Rising Sun Trust	License Renewed	12/20/11	12/20/14
Kozuki Holding, B.V.	License Renewed	12/20/11	12/20/14
Kozuki Foundation for Sports and Education	License Renewed	12/20/11	12/20/14
Konami Corporation	License Renewed	12/20/11	12/20/14
<i>Principal</i>			
Clark A. Warren	Pending		
Yoko Kozuki	License Renewed	12/20/11	12/20/14
Yuji Taniguchi	License Renewed	12/20/11	12/20/14
Tomokazu Godai	License Renewed	12/20/11	12/20/14

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Kagemasa Kozuki	License Renewed	12/20/11	12/20/14
Kimihiko Higashio	License Renewed	12/20/11	12/20/14
Ryoichi Kimura	License Renewed	12/20/11	12/20/14
Hiroyuki Mizuno	License Renewed	12/20/11	12/20/14
Thomas A. Jingoli	License Renewed	12/20/11	12/20/14
Akira Gemma	License Renewed	12/20/11	12/20/14
Kagetsugi Kozuki	License Renewed	12/20/11	12/20/14
Stephen Sutherland	License Renewed	12/20/11	12/20/14
Thomas E. Soukup	License Renewed	12/20/11	12/20/14
Takuya Kozuki	License Renewed	12/20/11	12/20/14
Satoshi Sakamoto	License Renewed	12/20/11	12/20/14
Noriaki Yamaguchi	License Renewed	12/20/11	12/20/14
<i>Key Employee</i>			
Ross Angus O'Hanley	Pending		
Samuel Frank Constantino	Pending		
Michael Edward Nardi	Pending		
Scott Jerald Richards	Pending		
Alan Doyle Cripe	Withdrawn	5/4/2011	
Gary T. King	Withdrawn	5/4/2011	

**Lightning Poker, Inc**  
Slot Machine Manufacturer  
Renewal App Pending: 11/28/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Lightning Poker, Inc</i>			
<i>Slot Machine Manufacturer</i>			
Lightning Poker, Inc	Renewal App Pending		
<i>Affiliate</i>			
Lightning Gaming, Inc.	Renewal App Pending		
<i>Principal</i>			
Brian D. Haveson	Renewal App Pending		
Donald R. Caldwell	Renewal App Pending		
Frederick C. Tecce	Renewal App Pending		
Robert D. Ciunci	Renewal App Pending		
Donald R. Caldwell	Renewal App Pending		
Frederick C. Tecce	Renewal App Pending		
Robert D. Ciunci	Renewal App Pending		
Brian D. Haveson	Renewal App Pending		
<i>Key Employee</i>			
Christopher George Strano	Approved for Licensure	1/26/2011	1/25/2014

**MicroFirst Associates, Inc.**  
Slot Machine Manufacturer  
License Renewed: 1/6/2011  
License Expires: 1/5/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>MicroFirst Associates, Inc.</i>			
<i>Slot Machine Manufacturer</i>			
MicroFirst Associates, Inc.	Renewal App Pending		



## NOTICES

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Principal</i>			
John D. Scarpa	Renewal App Pending		
John Beneat	Surrendered License	1/10/2010	
<i>Key Employee</i>			
Ryan Paul Randazzo	Approved for Licensure	6/21/2010	6/20/2013

**Multimedia Games, Inc.**  
Slot Machine Manufacturer  
Application Pending: 1/7/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Multimedia Games, Inc.</i>			
<i>Slot Machine Manufacturer</i>			
Multimedia Games, Inc.	Pending		
<i>Affiliate</i>			
Multimedia Games Holding Company, Inc.	Pending		
<i>Principal Entity</i>			
Royce & Associates, LLC	Notification Received		
BlackRock, Inc	Notification Received		
The Baupost Group, L.L.C.	Notification Received		
<i>Principal</i>			
Patrick J. Ramsey	Pending		
Uri Lahajj Clinton	Pending		
Justin Albert Orlando	Pending		
Michael James Maples	Pending		
Stephen James Greathouse	Pending		
Adam NMN Chibib	Pending		
Robert Delaney Repass	Pending		
<i>Key Employee</i>			
Joaquin Jesus Aviles	Pending		
Micki D. Roemer	Pending		

**NRT Technology Corp.**  
Slot Machine Manufacturer  
License Renewed: 6/10/2010  
License Expires: 6/9/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>NRT Technology Corp.</i>			
<i>Slot Machine Manufacturer</i>			
NRT Technology Corp.	License Renewed	6/10/2010	6/9/2013
<i>Affiliate</i>			
Dominet Corp.	License Renewed	6/10/2010	6/9/2013
<i>Principal</i>			
John A. Dominelli	License Renewed	6/10/2010	6/9/2013
James E. Grundy	License Renewed	6/10/2010	6/9/2013
Raymond N. Deffner	License Renewed	6/10/2010	6/9/2013
Raffaele S. Lombardi	License Renewed	6/10/2010	6/9/2013
Ji-In Shin	Pending		



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Eric Turner	Pending		
Larry Potts	Pending		
Paul Savas	Pending		
Floyd Clarke	Pending		
William Huntley	Pending		
Jeffrey Lipkin	Pending		
James Kennedy	Pending		
David Kennedy	Pending		
Robert Becker	Pending		
Steven Beason	Pending		
Allen Weil	Pending		
Michael Chambrello	Pending		
Brennen Lawrence	Pending		
Gerard Scheinbach	Pending		
James Trask	Withdrawn	5/11/2011	
Stephen Gibbs	Withdrawn	10/13/2011	
Ian Timmis	Withdrawn	8/18/2011	
John Walsh	Withdrawn	5/11/2011	
Brooks Pierce	Withdrawn	3/23/2011	
James Metcalf	Withdrawn	5/11/2011	
Joseph Stewart	Withdrawn	5/11/2011	
Ira Raphaelson	Withdrawn	11/22/2011	
<i>Key Employee</i>			
Scott Stewart	Pending		

**Shuffle Master, Inc.**

Slot Machine Manufacturer  
Renewal Application Pending: 1/14/2011

Table Game Manufacturer  
Renewal Application Pending: 1/14/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Shuffle Master, Inc.</i>			
<i>Slot Machine Manufacturer</i>			
Shuffle Master, Inc.	Renewal App Pending		
Table Game Manufacturer			
Shuffle Master, Inc.	Renewal App Pending		
<i>Principal Entity</i>			
OppenheimerFunds, Inc.	Notification Received		
FMR Corp.	Notification Received		
Private Capital Management, LP	Notification Received		
Transamerica Investment Management, LLC	Notification Received		
T. Rowe Price Associates, Inc.	Notification Received		
Baron Capital Group, Inc.	Notification Received		
Kayne Anderson Rudnick Investment Mgmt, LLC	Notification Received		
Franklin Resources Inc.	Notification Received		
Eagle Asset Management	Notification Received		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Columbia Wanger Asset Management, L.P.	Notification Received		
William Blair & Company, L.L.C.	Notification Received		
BlackRock, Inc.	Notification Received		
Barclays Global Investors NA and Barclays Global Fund Advisors	Notification Received		
Citadel Limited Partnership	Notification Received		
Wells Fargo and Company	Notification Received		
Serengeti Asset Management LP	Notification Received		
<i>Principal</i>			
Linster Walter Fox	Approved for Licensure	11/22/2011	11/21/2014
Phillip C. Peckman	Expired	9/16/2010	9/15/2011
Nathan John Wadds	Pending		
Kathryn Sarah Lever	Pending		
Michael G. Isaacs	Pending		
Eileen Fein Raney	Pending		
Alfred Randall Thoman	Pending		
Daniel Michael Wade	Pending		
David Lopez	Renewal App Pending		
John R. Bailey	Renewal App Pending		
Philip Smith	Renewal App Pending		
Garry W. Saunders	Renewal App Pending		
Roger M Snow	Renewal App Pending		
Louis J. Castle II	Withdrawn	12/6/2011	
<i>Key Employee</i>			
Deron James Hunsberger	Approved for Licensure	5/25/2011	5/24/2014

**Spielo International Canada ULC**

Slot Machine Manufacturer  
License Renewed: 10/27/2010  
License Expires: 10/26/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Spielo International Canada ULC</i>			
<i>Slot Machine Manufacturer</i>			
Spielo International Canada ULC	License Renewed	10/27/2010	10/26/2013
<i>Affiliate</i>			
Lottomatica Group S.p.A	License Renewed	10/27/2010	10/26/2013
B & D Holdings di Marco Drago & C.S.A.p.A	License Renewed	10/27/2010	10/26/2013
De Agostini S.p.A.	License Renewed	10/27/2010	10/26/2013
<i>Principal</i>			
Carlo Enrico Ferrari Ardicini	Approved for Licensure	4/14/2011	4/13/2014
Alberto Ferdinando Maria Toffoletto	Approved for Licensure	10/27/2010	10/26/2013
Giorgio G.C. Drago	License Renewed	10/27/2010	10/26/2013
Victor Duarte	License Renewed	10/27/2010	10/26/2013
Paolo Ceretti	License Renewed	10/27/2010	10/26/2013
Pietro Boroli	License Renewed	10/27/2010	10/26/2013



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Paolo Boroli	License Renewed	10/27/2010	10/26/2013
Lino Benassi	License Renewed	10/27/2010	10/26/2013
Anthony L. Watson	License Renewed	10/27/2010	10/26/2013
Stefano Bortoli	License Renewed	10/27/2010	10/26/2013
Chiara M.G. Boroli	License Renewed	10/27/2010	10/26/2013
Alberto Boroli	License Renewed	10/27/2010	10/26/2013
Marco Boroli	License Renewed	10/27/2010	10/26/2013
Roberto Drago	License Renewed	10/27/2010	10/26/2013
Marco Drago	License Renewed	10/27/2010	10/26/2013
Renzo Lorenzo Pelliccioli	License Renewed	10/27/2010	10/26/2013
Severino Salvemini	License Renewed	10/27/2010	10/26/2013
Marco Sala	License Renewed	10/27/2010	10/26/2013
Anthony Ruys	Surrendered License	10/27/2010	
Robert M. Dewey, Jr.	Surrendered License	10/13/2011	
William B. Turner	Surrendered License	10/13/2011	
Jeremy J. Hanley	Surrendered License	10/27/2010	
<i>Key Employee</i>			
Robin Drummond	License Renewed	6/3/2009	6/2/2012
<i>Spielo International USA, LLC</i>			
<i>Slot Machine Manufacturer</i>			
Spielo International USA, LLC	Expired	10/27/2010	10/26/2011
<i>Affiliate</i>			
De Agostini S.p.A.	Expired	10/27/2010	10/26/2011
Lottomatica Group S.p.A	Expired	10/27/2010	10/26/2011
B & D Holdings di Marco Drago & C.S.A.p.A	Expired	10/27/2010	10/26/2011
<i>Principal</i>			
Carlo Enrico Ferrari Ardicini	Approved for Licensure	4/14/2011	4/13/2014
Marco Sala	Expired	10/27/2010	10/26/2011
Marco Boroli	Expired	10/27/2010	10/26/2011
Renzo Lorenzo Pelliccioli	Expired	10/27/2010	10/26/2011
Giorgio G.C. Drago	Expired	10/27/2010	10/26/2011
Pietro Boroli	Expired	10/27/2010	10/26/2011
Alberto Boroli	Expired	10/27/2010	10/26/2011
Lino Benassi	Expired	10/27/2010	10/26/2011
Roberto Drago	Expired	10/27/2010	10/26/2011
Christine M. Masino	Expired	10/27/2010	10/26/2011
Marco Drago	Expired	10/27/2010	10/26/2011
Kenneth L. Bossingham	Expired	10/27/2010	10/26/2011
Paolo Ceretti	Expired	10/27/2010	10/26/2011
Paolo Boroli	Expired	10/27/2010	10/26/2011
Alberto Ferdinando Maria Toffoletto	Expired	10/27/2010	10/26/2011
Chiara M.G. Boroli	Expired	10/27/2010	10/26/2011
Severino Salvemini	Expired	10/27/2010	10/26/2011
Stefano Bortoli	Expired	10/27/2010	10/26/2011

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<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
Gerhard H. Burda	Request for Withdrawal Pending		
Jeremy J. Hanley	Surrendered License	10/27/2010	
Robert M. Dewey, Jr.	Surrendered License	10/13/2011	
Anthony Ruys	Surrendered License	10/13/2011	
William B. Turner	Surrendered License	10/27/2010	
<i>Key Employee</i>			
Michelle Lewis	Approved for Licensure	8/28/2009	8/27/2012
David C. Hartman	Inactive-Renewed	3/16/2010	3/15/2013
James Edward Brown	Withdrawn	10/13/2011	
<b>Western Money Systems</b> Slot Machine Manufacturer License Renewed: 2/24/2011 License Expires: 2/23/2014			
<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Western Money Systems</i> <i>Slot Machine Manufacturer</i>			
Western Money Systems	License Renewed	2/24/2011	2/23/2014
<i>Affiliate</i>			
Global Access Holdings, Inc.	Approved for Licensure	2/24/2011	2/23/2014
Global Cash Access, Inc.	Approved for Licensure	2/24/2011	2/23/2014
<i>Principal Entity</i>			
Wells Capital Management, Incorporated	Notification Received		
Wolf Opportunity Fund, Ltd.	Notification Received		
Thompson, Siegel & Walmsley LLC	Notification Received		
BlackRock, Inc.	Notification Received		
FMR Corp.	Notification Received		
Private Capital Management, L.P.	Notification Received		
Summit Partners	Notification Received		
<i>Principal</i>			
Patrick M. Olson	Approved for Licensure	2/24/2011	2/23/2014
Scott H. Betts	Approved for Licensure	2/24/2011	2/23/2014
Fred C. Enlow	Approved for Licensure	2/24/2011	2/23/2014
E. Miles Kilburn	Approved for Licensure	2/24/2011	2/23/2014
Geoffrey Perona Judge	Approved for Licensure	2/24/2011	2/23/2014
Mary Elizabeth Higgins	Pending		
Mark Foster Labay	Pending		
Michael D. Rumbolz	Pending		
David D. Johnson	Pending		
Kathryn S. Lever	Surrendered License	5/25/2011	
Chrystelle Claude Damidot	Withdrawn	11/22/2011	
<i>Key Employee</i>			
John R. Dunsmoor	Inactive-Renewed	5/25/2010	5/24/2013
Michael J. Aughney	License Renewed	4/7/2010	4/6/2013
David J. Lucchese	License Renewed	6/17/2009	6/16/2012

## NOTICES

**WMS Gaming, Inc.**  
 Slot Machine Manufacturer  
 License Renewed: 5/13/2010  
 License Expires: 5/12/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>WMS Gaming Inc.</i>			
<i>Slot Machine Manufacturer</i>			
WMS Gaming Inc.	License Renewed	5/13/2010	5/12/2013
<i>Affiliate</i>			
WMS Industries, Inc.	License Renewed	5/13/2010	5/12/2013
<i>Principal Entity</i>			
Citadel Advisors LLC	Notification Received		
Barclays Global Investors NA	Notification Received		
Janus Captial Management, LLC	Notification Received		
Turner Investment Partners, Inc.	Notification Received		
BlackRock, Inc	Notification Received		
T. Rowe Price	Notification Received		
Kornitzer Capital Management	Notification Received		
Kornitzer Capital Management	Notification Received		
FMR Corp.	Notification Received		
<i>Principal</i>			
Larry Pacey	Approved for Licensure	8/28/2009	8/27/2012
Lisa DeJesus-Condon	Approved for Licensure	11/4/2009	11/3/2012
Scott D. Schweinfurth	License Renewed	5/13/2010	5/12/2013
Edward W. Rabin, Jr.	License Renewed	5/13/2010	5/12/2013
Laurie E. Lasseter	License Renewed	5/13/2010	5/12/2013
Kathleen J. McJohn	License Renewed	5/13/2010	5/12/2013
Orrin J. Edidin	License Renewed	5/13/2010	5/12/2013
Brian R. Gamache	License Renewed	5/13/2010	5/12/2013
Kenneth Lochiatto	License Renewed	5/13/2010	5/12/2013
William J. Vareschi	License Renewed	5/13/2010	5/12/2013
John P. McNicholas, Jr.	License Renewed	5/13/2010	5/12/2013
Robert J. Bahash	License Renewed	5/13/2010	5/12/2013
Harold Bach	Surrendered License	3/23/2011	
<i>Key Employee</i>			
Brian E. Clayton	Approved for Licensure	5/13/2010	5/12/2013
Graziano A. D'Aquilante	License Renewed	5/13/2010	5/12/2013
Robert David Bone	Pending		

**DEQ Systems Corp.**  
 Table Game Manufacturer  
 Conditional License Issued: 4/14/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date Table Game Manufacturer</i>
<i>DEQ Systems Corp.</i>	Conditional License Issued		4/14/2011
<i>Principal</i>			
Earle Gerard Hall	Pending		
Francois Proulx	Pending		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date Table Game Manufacturer</i>
Genevieve Cossette	Pending		
Jean-Claude Vachon	Pending		
Joseph Michael Telesmanic	Pending		
Michael Alexander Hackman	Pending		
Alexandre Philippe Lattes	Pending		
Herve Francois Eschasseriau	Pending		
David Jacques	Pending		

**Elektroncek d.d.**

Table Game Manufacturer  
Renewal App Pending: 7/13/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Elektroncek d.d.</i>			
<i>Table Game Manufacturer</i>			
Elektroncek d.d.	Renewal App Pending		
<i>Affiliate</i>			
Aristocrat Leisure Cyprus Limited	Expired	9/16/2010	9/15/2011
Elektroncek Group B.V.	Renewal App Pending		
<i>Principal</i>			
Samuel G. Weaver	Expired	9/16/2010	9/15/2011
Petra Vidmar	Pending		
Joze Pececnik	Renewal App Pending		
Rok Uhan	Renewal App Pending		
Tomaz Zvipelj	Renewal App Pending		
Arjan Schaapman	Withdrawn	8/18/2011	
Adriaan Coppens	Withdrawn	8/18/2011	

**Gemaco, Inc**

Table Game Manufacturer  
Approved for Licensure: 5/25/2011  
License Expires: 5/24/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Gemaco, Inc</i>			
<i>Table Game Manufacturer</i>			
Gemaco, Inc	Approved for Licensure	5/25/2011	5/24/2012
<i>Affiliate</i>			
GemGroup, Inc	Approved for Licensure	5/25/2011	5/24/2012
<i>Principal</i>			
Jason Allen Fitzhugh	Approved for Licensure	5/25/2011	5/24/2012
Leesa Ann Nichols	Approved for Licensure	5/25/2011	5/24/2012
Paul Desmond Quinlan	Approved for Licensure	5/25/2011	5/24/2012
Danny Ray Carpenter	Approved for Licensure	5/25/2011	5/24/2012
Diana Kaye Summers	Approved for Licensure	5/25/2011	5/24/2012



## NOTICES

**GPI Mexicana S.A. de C.V.**  
Table Game Manufacturer  
Application Pending: 4/6/2011

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Giesecke &amp; Devrient America, Inc.</i> <i>Table Game Manufacturer</i>			
Giesecke & Devrient America, Inc.	Pending		
<i>Affiliate</i>			
Giesecke & Devrient GmbH	Pending		
<i>Principal</i>			
John Scott Marquardt	Pending		

**South Jersey Precision Tool & Mold, Inc.**  
Table Game Manufacturer  
Approved for Licensure: 5/25/2011  
License Expires: 5/24/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>South Jersey Precision Tool &amp; Mold, Inc.</i> <i>Table Game Manufacturer</i>			
South Jersey Precision Tool & Mold, Inc.	Approved for Licensure	5/25/2011	5/24/2012
<i>Principal</i>			
Victor Rone	Approved for Licensure	5/25/2011	5/24/2012
Wayne Reeves	Approved for Licensure	5/25/2011	5/24/2012
June Jaraslawa Rone	Approved for Licensure	5/25/2011	5/24/2012
Robert Rone	Approved for Licensure	5/25/2011	5/24/2012

**TCS John Huxley America, Inc.**  
Table Game Manufacturer  
Approved for Licensure: 12/20/2011  
License Expires: 12/19/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Table Game Manufacturer</i>			
TCS John Huxley America, Inc.	Approved for Licensure	12/20/2011	12/19/2012
<i>Affiliate</i>			
Victoria Holdings Limited	Approved for Licensure	12/20/2011	12/19/2012
Pata Pata AB	Approved for Licensure	12/20/2011	12/19/2012
Crib Goch Investment Limited	Approved for Licensure	12/20/2011	12/19/2012
<i>Principal</i>			
David Kenneth Heap	Approved for Licensure	12/20/2011	12/19/2012
Ruth Anne Andrews	Approved for Licensure	12/20/2011	12/19/2012
Bradley John Broderick	Approved for Licensure	12/20/2011	12/19/2012
Roger Lyndon Hawkins	Approved for Licensure	12/20/2011	12/19/2012
Carl Bertil Knutsson	Approved for Licensure	12/20/2011	12/19/2012
Michael Bertil Knutsson	Approved for Licensure	12/20/2011	12/19/2012
Tristan Nenne Sjoberg	Approved for Licensure	12/20/2011	12/19/2012
Justin Matthew Findlay	Approved for Licensure	12/20/2011	12/19/2012
Barbara Jeanette Reed	Pending		
Libby Ann Lamm	Withdrawn	5/11/2011	

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Key Employee</i>			
Ronald Douglas Corio Jr	Approved for Licensure	12/20/2011	12/19/2012
Jillian Jane Rennie	Pending		

**TCS John Huxley Europe Limited**

Table Game Manufacturer  
Approved for Licensure: 12/20/2011  
License Expires: 12/19/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Table Game Manufacturer</i>			
TCS John Huxley Europe Limited	Approved for Licensure	12/20/2011	12/19/2012
<i>Affiliate</i>			
TCS John Huxley America, Inc.	Approved for Licensure	12/20/2011	12/19/2012
Victoria Holdings Limited	Approved for Licensure	12/20/2011	12/19/2012
Pata Pata AB	Approved for Licensure	12/20/2011	12/19/2012
Crib Goch Investment Limited	Approved for Licensure	12/20/2011	12/19/2012
<i>Principal</i>			
David Kenneth Heap	Approved for Licensure	12/20/2011	12/19/2012
Ruth Anne Andrews	Approved for Licensure	12/20/2011	12/19/2012
Carl Bertil Knutsson	Approved for Licensure	12/20/2011	12/19/2012
Michael Bertil Knutsson	Approved for Licensure	12/20/2011	12/19/2012
Tristan Nenne Sjoberg	Approved for Licensure	12/20/2011	12/19/2012

**Tech Art, Inc.**

Table Game Manufacturer  
Approved for Licensure: 7/20/2011  
License Expires: 7/19/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Tech Art, Inc.</i>			
<i>Table Game Manufacturer</i>			
Tech Art, Inc.	Approved for Licensure	7/20/2011	7/19/2012
<i>Principal</i>			
Arthur Clemont Miller	Approved for Licensure	7/20/2011	7/19/2012
Joseph William Miller	Approved for Licensure	7/20/2011	7/19/2012
Gary Alan Miller	Approved for Licensure	7/20/2011	7/19/2012
Marsha Sofer Miller	Approved for Licensure	7/20/2011	7/19/2012
Ronald Lewis Miller	Approved for Licensure	7/20/2011	7/19/2012
Russell Dean Isaacs	Approved for Licensure	7/20/2011	7/19/2012
Bruce Howard Kusens	Approved for Licensure	7/20/2011	7/19/2012
Howard Mark Miller	Approved for Licensure	7/20/2011	7/19/2012

**The United States Playing Card Company**

Table Game Manufacturer  
Approved for Licensure: 11/22/2011  
License Expires: 11/21/2012

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>The United States Playing Card Company</i>			
<i>Table Game Manufacturer</i>			
The United States Playing Card Company	Approved for Licensure	11/22/2011	11/21/2012

## NOTICES

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Affiliate</i>			
USPC Holding Inc.	Approved for Licensure	11/22/2011	11/21/2012
Bicycle Holding, Inc.	Approved for Licensure	11/22/2011	11/21/2012
Jarden Corporation	Approved for Licensure	11/22/2011	11/21/2012
USPC Mexico, S.A. .De C.V.	Withdrawn	5/11/2011	
<i>Principal Entity</i>			
BlackRock, Inc	Notification Received		
Horizon Asset Management, Inc.	Notification Received		
College Retirement Equities Fund—Stock Account	Notification Received		
Wellington Management Company	Notification Received		
<i>Principal</i>			
James Daryl Owen	Approved for Licensure	11/22/2011	11/21/2012
Ian Guy Handley Ashken	Approved for Licensure	11/22/2011	11/21/2012
James Eric Lillie	Approved for Licensure	11/22/2011	11/21/2012
Martin Ellis Franklin	Approved for Licensure	11/22/2011	11/21/2012
John Edward Capps	Approved for Licensure	11/22/2011	11/21/2012
Michael Gerard Stanis	Pending		
Richard Todd Sansone	Pending		
Marc Alan Hill	Pending		
Phillip Gaetano Dolcimascolo	Request for Withdrawal Pending		
Steven Michael Smith	Withdrawn	4/14/2011	
Michael Stuart Gross	Withdrawn	10/13/2011	
Robert Lee Wood	Withdrawn	10/13/2011	
Douglas Wayne Huemme	Withdrawn	10/13/2011	
<i>Key Employee</i>			
Patricia Ann Hom	Approved for Licensure	11/22/2011	11/21/2014
<b>Advanced Gaming Associates, LLC</b> Slot Machine Supplier License Renewed: 4/28/2011 License Expires: 4/27/2012			
<i>Name</i>			
<i>Advanced Gaming Associates, LLC</i>			
<i>Slot Machine Supplier</i>			
Advanced Gaming Associates, LLC	License Renewed	4/28/2011	4/27/2012
<i>Principal</i>			
Anthony R. Tomasello, Jr.	License Renewed	4/28/2011	4/27/2012
<b>Happ Controls, Inc.</b> Slot Machine Supplier Application Pending: 6/15/2011			
<i>Name</i>			
<i>Happ Controls, Inc.</i>			
<i>Slot Machine Supplier</i>			
Happ Controls, Inc.	Pending		
<i>Principal</i>			
Thomas Bruse Happ	Pending		
Frank Lee Happ	Pending		

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
James Brendel	Pending		
Leonardus Albertus Patrick Suverein	Pending		
Kevin Gerard Powers	Pending		

**KGM Gaming, LLC**  
Slot Machine Supplier  
License Renewed: 10/27/2010  
License Expires: 10/26/2013

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>KGM Gaming, LLC</i> <i>Slot Machine Supplier</i>			
KGM Gaming, LLC	License Renewed	10/27/2010	10/26/2013
<i>Principal</i>			
Howard J. Weiss	License Renewed	10/27/2010	10/26/2013
Michael A. Frattone	License Renewed	10/27/2010	10/26/2013
Jason M. Peters	License Renewed	10/27/2010	10/26/2013
<i>Key Employee</i>			
Jason E. Cohen	License Renewed	6/3/2009	6/2/2012

**Modern Gaming Pennsylvania, LLC**  
Slot Machine Supplier  
License Renewed: 2/24/2011  
License Expires: 2/23/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Modern Gaming Pennsylvania, LLC</i> <i>Slot Machine Supplier</i>			
Modern Gaming Pennsylvania, LLC	License Renewed	2/24/2011	2/23/2014
<i>Principal</i>			
Michael T. Tessmer	License Renewed	2/24/2011	2/23/2014
Jason Roy DeGrandmaison	License Renewed	2/24/2011	2/23/2014
<i>Key Employee</i>			
Brian D. Hartmann	Approved for Licensure	4/8/2009	4/7/2012

**TDN Money Systems**  
Slot Machine Supplier  
License Renewed: 10/13/2011  
License Expires: 10/12/2014

Table Game Supplier  
License Renewed: 10/13/2011  
Expires: 10/12/2014

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>TDN Money Systems</i> <i>Slot Machine Supplier</i>			
TDN Money Systems	License Renewed	10/13/2011	10/12/2014
Table Game Supplier			
TDN Money Systems	License Renewed	10/13/2011	10/12/2014



<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Principal</i>			
Edward Joseph Hannon Jr	License Renewed	10/13/2011	10/12/2014
Richard Carmen Orlando	License Renewed	10/13/2011	10/12/2014

**Keystone Gaming Technologies, Inc.**  
Slot Machine Supplier  
Application Pending: 6/10/2010

<i>Name</i>	<i>License Status</i>	<i>Application Decision Date</i>	<i>Expiration Date</i>
<i>Keystone Gaming Technologies, Inc.</i>			
<i>Table Game Supplier</i>			
Keystone Gaming Technologies, Inc.	Pending		
<i>Principal</i>			
Thomas M. Malek	Pending		

[Pa.B. Doc. No. 12-127. Filed for public inspection January 20, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 6, 2012. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-2011-2273451. River Community Transportation, Inc.** (1030 Andrew Drive, West Chester, Chester County, PA 19380)—persons in paratransit service, from points in the County of Chester to points in Pennsylvania, which is to be a transfer of all the right authorized under the certificate issued at A-00104504, F2, Am-A to Krapf's Coaches, Inc., subject to the same limitations and conditions. (*Attorney:* Charles E. Thomas III, Thomas, Long, Niesen & Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-128. Filed for public inspection January 20, 2012, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-066.4, Installation of Shore Power Outlets at Tioga Marine Terminal, until 2 p.m. on Thursday, February 16, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-129. Filed for public inspection January 20, 2012, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-002.P, Request for Proposal—Insurance Broker Services, until 2 p.m. on Thursday, February 16, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-130. Filed for public inspection January 20, 2012, 9:00 a.m.]

# STATE EMPLOYEES' RETIREMENT BOARD

## Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

February 15, 2012	Theodore R. Robinson Service Connected Disability Supplement	1 p.m.
February 29, 2012	Edward J. Kelly Deferred Compensation Plan—Denial of Emergency Hardship Withdrawal	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

DAVID E. DURBIN,  
*Acting Secretary*

[Pa.B. Doc. No. 12-131. Filed for public inspection January 20, 2012, 9:00 a.m.]







