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## February 22, 2014 (Pages 983-1112)

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# PENNSYLVANIA BULLETIN

Volume 44  
Saturday, February 22, 2014 • Harrisburg, PA  
Number 8  
Pages 983—1112

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Delaware River Basin Commission

Department of Agriculture

Department of Conservation and Natural  
Resources

Department of Environmental Protection

Department of General Services

Department of Health

Department of Labor and Industry

Department of Revenue

Executive Board

Independent Regulatory Review Commission

Insurance Department

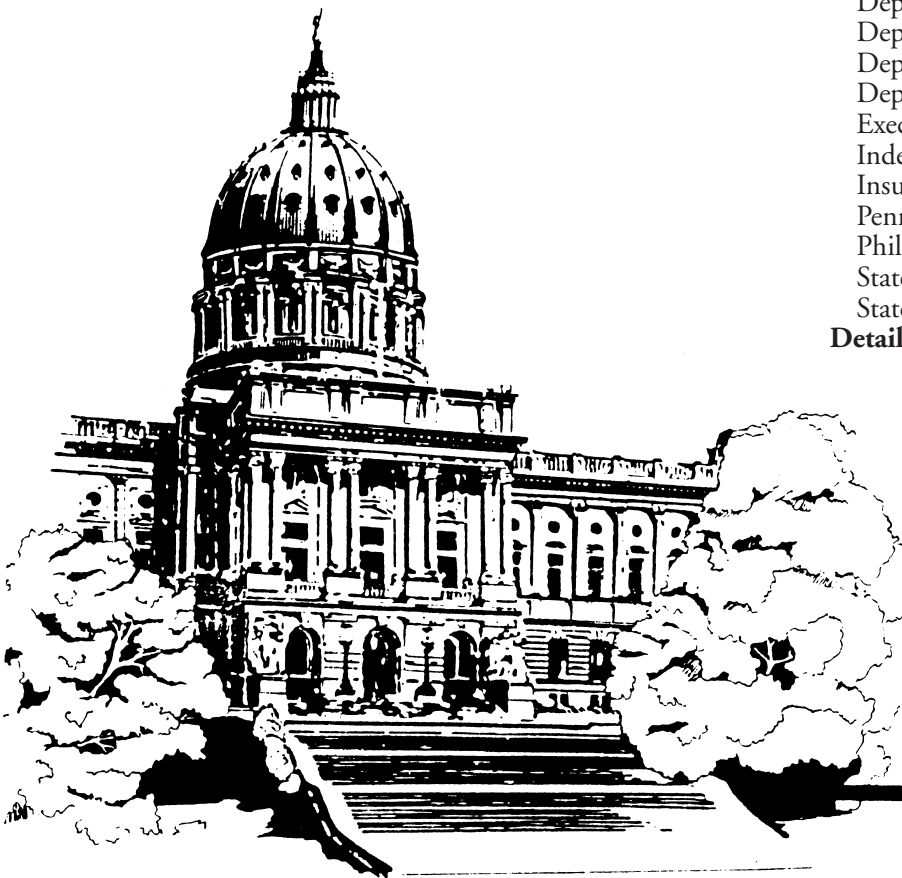
Pennsylvania Public Utility Commission

Philadelphia Parking Authority

State Board of Landscape Architects

State Board of Nursing

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

**No. 471, February 2014**

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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 Pennsylvania 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 when the agency may omit the proposal step; it 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, it must repropose.

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

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

## ***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* is available at [www.pacode.com](http://www.pacode.com).

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*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

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. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2014.

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# THE COURTS

## Title 255—LOCAL COURT RULES

### JEFFERSON COUNTY

#### Administrative Order Requiring Surcharge to Cover Family Law Master Expenses in Divorce Cases; No. 3-2014 AD

##### Order Amending Local Rule 1920.51

*And Now*, this 7th day of February 2014, *It Is Ordered That* Jeff.Co.R.C.P. 1920.51 is hereby amended to include a \$50.00 surcharge on all new divorce cases filed in this county. That money will be collected and deposited with the Prothonotary's Office for Family Law Master costs. In all other particulars, Rule 1920.51 shall remain in full force and effect.

This Order shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

JOHN HENRY FORADORA,  
*President Judge*

[Pa.B. Doc. No. 14-367. Filed for public inspection February 21, 2014, 9:00 a.m.]

### LEHIGH COUNTY

#### Amended Rule 1302(a) Compulsory Arbitration— Arbitrators; 2014-J-28

##### Administrative Order

*And Now*, this 28th day of January 2014, *It Is Hereby Ordered That* the following Amended Lehigh County Rule 1302(a) is hereby *Adopted*, effective 30 days after publication in the *Pennsylvania Bulletin*.

*It Is Further Ordered That* the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Amended Lehigh County Rule 1302(a) with the Administrative Office of Pennsylvania Courts; two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy with the Civil Procedural Rules Committee, and one (1) copy in the Office of the Clerk of Judicial Records—Civil Division of Lehigh County.

*By the Court*

CAROL K. MCGINLEY,  
*President Judge*

#### Amended Lehigh County Rule 1302. Compulsory Arbitration—Arbitrators.

(a) A list of available arbitrators shall be prepared by the Court Administrator. The list shall consist of a sufficient number of members of the bar of Lehigh County

who express a willingness to serve and who are actively engaged in the practice of law primarily in Lehigh County in accordance with Pa.R.C.P. 1302(a).

[Pa.B. Doc. No. 14-368. Filed for public inspection February 21, 2014, 9:00 a.m.]

### WESTMORELAND COUNTY

#### Rescinding Rules W1915.4; Adopting Rules W1915.3-5 and W1915.4; No. 3 of 2014

##### Order

*And Now*, this 31st day of January, 2014 *It Is Hereby Ordered* that current Westmoreland Rules of Civil Procedure W1915.4 is rescinded and that new Rules of Civil Procedure W1915.3-5 and W1915.4 are adopted.

*By the Court*

GARY P. CARUSO,  
*President Judge*

#### Rule W1915.3-5. Participation in Proceedings by In- carcerated Party.

Any party to a custody action who is incarcerated and wishes to participate in any proceeding shall make a formal request to the Court for transportation to the proceeding or for participation by electronic means.

#### Rule W1915.4. Child Program.

All parties shall be given an ORDER pursuant to this Rule to attend the Children Hurt in Loss Through Divorce/Separation (CHILD) Program prior to the Pretrial Conference, Modification Hearing, or Contempt Hearing, and to provide proof of attendance to the Court at the conference or hearing.

[Pa.B. Doc. No. 14-369. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that on February 4, 2014, pursuant to Rule 214, Pa.R.D.E., the Supreme Court of Pennsylvania ordered that Gregory Scott Weisman be placed on Temporary Suspension from the practice of law, effective March 6, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 14-370. Filed for public inspection February 21, 2014, 9:00 a.m.]

**Notice of Suspension**

Notice is hereby given that Stuart Lawrence Leeds having been suspended from the practice of law in the State of Texas for a period of six months by an Order Revoking Probation of the County Court of El Paso County, Texas, dated May 14, 2013, effective immediately; and having been suspended from the practice of law in the State of Texas for a period of five months beginning August 1, 2013 and ending December 31, 2013, by an Agreed Judgment of Active Suspension dated August 21, 2013 and approved by the District 17 Grievance Committee of the State Bar of Texas, and upon the consideration of the Joint Petition for Reciprocal Discipline, the Supreme Court of Pennsylvania issued an Order dated

February 4, 2014 suspending Stuart Lawrence Leeds from the practice of law in this Commonwealth for a period commencing July 24, 2013, and ending March 12, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-371. Filed for public inspection February 21, 2014, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF LANDSCAPE ARCHITECTS

[ 49 PA. CODE CH. 15 ]

#### Continuing Education and Elimination of Registration without Examination

The State Board of Landscape Architects (Board) rescinds § 15.56 and amends §§ 15.72 and 15.80 (relating to requirement for biennial renewal; and retention of records) to read as set forth in Annex A.

##### *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

##### *Statutory Authority*

This rulemaking is authorized by sections 4(9) and 9.1(a) of the Landscape Architects' Registration Law (act) (63 P. S. §§ 904(9) and 909.1(a)).

##### *Background and Purpose*

The act of July 17, 2009 (P. L. 94, No. 24) (Act 24) amended the act to eliminate licensure through an outdated "grandfathering" provision which previously authorized the Board to register applicants who had practiced landscape architecture for at least 10 or 15 years. At that time, the General Assembly also amended the act to increase the number of hours of required continuing education from 10 to 24 beginning with the license period designated by the Board. Although the Board initially anticipated that the increased continuing education requirement would be implemented during the 2011-2013 biennium, on November 8, 2012, the Board decided to give additional notice to licensees. Therefore, the Board designated the 2013-2015 licensure period (from June 1, 2013, through May 31, 2015) as the licensure period in which licensees will first be required to complete the increased number of 24 hours in continuing education as a condition of renewal in 2015.

##### *Summary of Comments and the Board's Response*

Notice of proposed rulemaking was published at 43 Pa.B. 1859 (April 6, 2013) with a 30-day public comment period. The Board did not receive comments from the public, the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) or the House Professional Licensure Committee (HPLC).

The Independent Regulatory Review Commission (IRRC) submitted three comments on June 5, 2013. IRRC agreed with the rescission of § 15.56. However, in the preamble to the proposed rulemaking, the Board explained that the rescission of § 15.56(a)(3), which provided for registration of individuals who passed the examination in another state, was proper because § 15.57(a) (relating to registration by endorsement) already covered the provision in § 15.56(a)(3) regarding reciprocity. IRRC pointed out that § 15.57 differs from the statutory provision in section 6(c) of the act (63 P. S. § 906(c)) with respect to reciprocity. IRRC further noted that § 15.57(a) "does not explain the statutory provision

that the applicant must establish that their qualifications from the other state are '...at least equal to the standards of the Commonwealth existing at that time.'"

In a future proposed rulemaking package (16A-6111 (general revisions)), the Board will propose to amend § 15.57(a) to be consistent with the statutory requirement for reciprocity in section 6(c) of the act. Proposed amendments to § 15.57(a) would provide that "an applicant for licensure under section 6(c) of the act...who...holds a current license in good standing from another state, territory or foreign country in which the requirements and qualifications to engage in the practice of landscape architecture were at the time of initial issuance of a license or certificate of registration at least equal to the standards of this Commonwealth existing at that time" may be granted registration by reciprocity. (Emphasis added.) Because the Board will be addressing IRRC's concern for consistency between § 15.57(a) and the statutory provision in a future proposed rulemaking, and to allow for public comment on these and other proposed amendments to § 15.57, the Board did not amend the final-form rulemaking in response to this comment.

IRRC's second comment recommended that the Board explain how it has sufficiently informed licensees of the new requirement in § 15.72 for 24 hours of continuing education prior to the renewal period of June 1, 2013, through May 31, 2015, as required under section 9.1(e) of the act. After the enactment of Act 24, the Board sent two newsletters, in May 2010 and August 2010, to its licensees initially telling them of the increased continuing education requirement and also published a notice on its web site informing licensees that they must take 14 additional credit hours of continuing education during the 2011-2013 biennial renewal cycle by May 31, 2013. On November 8, 2012, however, the Board decided to give additional notice to licensees so that they would have sufficient time to take the 14 additional continuing education credits during the period from June 1, 2013, through May 31, 2015. On November 21, 2012, the Board posted a notice on its web site and published a newsletter article in December 2012 informing its licensees of the increased continuing education requirement to take 14 additional credit hours of continuing education to renew a license during the 2013-2015 biennial renewal cycle by May 31, 2015.

In addition to the Board's communications to its licensees, the Pennsylvania Chapter of the American Society of Landscape Architects (ASLA) also provided notices to its members in newsletters of the Board's initial decision to require the completion of 24 hours of continuing education during the 2011-2013 biennial period, which continuing education would have been due by May 31, 2013. On November 17, 2012, ASLA updated its members on its web site on the Board's action taken on November 8, 2012, on the deadline for the completion of the 24 hours of continuing education by May 31, 2015.

IRRC also recommended that the Board delete proposed § 15.72(d) to allow licensees to carry forward up to 12 of the required 24 hours of continuing education into a subsequent renewal period. IRRC noted that section 9.1(b) of the act requires licensees "to obtain twenty-four hours of mandatory continuing education during each two-year license period." Therefore, in IRRC's view, the act prohibits licensees from carrying forward continuing

education credits into a future renewal period. In response, the Board deleted proposed § 15.72(d) that would have allowed licensees to carry forward 12 continuing education credits into the subsequent renewal period.

#### *Fiscal Impact and Paperwork Requirements*

The final-form rulemaking should not have major fiscal impact on the Commonwealth, the general public or political subdivisions. Due to the requirement in Act 24, the Board's 940 active licensees will have to pay for 14 additional continuing education hours of instruction. The Board estimates that the cost to a licensee for the additional continuing education hours is approximately \$434 per biennium (or \$217 per year).

The final-form rulemaking will require the Board to change the number of continuing education credits on biennial renewal forms. However, the final-form rulemaking does not increase paperwork for the general public. The Board's licensees shall maintain records of their additional continuing education credits. However, they are not required to complete additional reports.

#### *Sunset Date*

The Board continuously monitors its regulations. Therefore, a sunset date has not been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 21, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 1859, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on January 15, 2014, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on January 16, 2014, and approved the final-form rulemaking.

#### *Additional Information*

Further information may be obtained by contacting Louis Lawrence Boyle, Regulatory Unit Counsel, State Board of Landscape Architects, P. O. Box 2649, Harrisburg, PA 17105-2649, RA-LANDSCAPE@pa.gov.

#### *Findings*

The Board finds that:

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

(2) A public comment period was provided as required by law and public comments were not received. The Commission considered and addressed IRRC's comments.

(3) The amendments to the final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 43 Pa.B. 1859.

(4) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing act identified in this preamble.

#### *Order*

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 15, are amended by deleting § 15.56 and amending §§ 15.72 and 15.80 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General as required by law.

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

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

DANIEL S. DiMUCCI, LA,  
Chairperson

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 751 (February 1, 2014).)

**Fiscal Note:** Fiscal Note 16A-6110 remains valid for the final adoption of the subject regulations.

#### **Annex A**

### **TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

#### **PART I. DEPARTMENT OF STATE**

#### **Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

### **CHAPTER 15. STATE BOARD OF LANDSCAPE ARCHITECTS EXAMINATIONS**

#### **§ 15.56. (Reserved).**

#### **CONTINUING EDUCATION**

#### **§ 15.72. Requirement for biennial renewal.**

(a) During each biennial period from the 2001-2003 biennium (from June 1, 2001, through May 31, 2003) and continuing through the 2011-2013 biennium (from June 1, 2011, through May 31, 2013), a licensee shall complete 10 clock hours of continuing education in accordance with this subchapter as a condition of biennial renewal. During each renewal period beginning with the 2013-2015 biennium (from June 1, 2013, through May 31, 2015) and continuing thereafter, a licensee shall complete 24 clock hours of continuing education in accordance with this subchapter as a condition of biennial renewal.

(b) The Board will exempt from the continuing education requirement a licensee who received a license within 2 years preceding the licensee's first application for biennial renewal.

(c) A licensee who wishes to reactivate a lapsed license or who has been on inactive status shall have completed the required number of clock hours of continuing education in subsection (a) in the 2-year period immediately prior to reactivation.

#### **§ 15.80. Retention of records.**

(a) The licensee shall retain copies of licensure renewal forms and the certificates, transcripts or other acceptable documentation of completion of the prescribed number of clock hours for 6 years following completion of the course. Records and documentation shall be produced upon demand by the Board or its auditing agents. The Board will

utilize a random audit of renewals to determine compliance with the continuing education requirement.

(b) Acceptable documentation of completion shall consist of a document prepared by the provider indicating continuing education course titles, completion dates and clock hours granted.

(c) A provider shall retain records for 6 years following the presentation of a course which shall document the successful completion of a course and the number of clock hours granted to every licensee. Copies of transcripts, certificates or other documentation shall be made available to a licensee upon request.

[Pa.B. Doc. No. 14-372. Filed for public inspection February 21, 2014, 9:00 a.m.]

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# PROPOSED RULEMAKING

## DEPARTMENT OF LABOR AND INDUSTRY

[ 34 PA. CODE CHS. 111 AND 131 ]

### Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board and Workers' Compensation Judges

The Department of Labor and Industry (Department), Workers' Compensation Appeal Board (Board) and Office of Adjudication (Office) proposes to amend Chapters 111 and 131 (relating to special rules of administrative practice and procedure before the Workers' Compensation Appeal Board; and special rules of administrative practice and procedure before workers' compensation judges) to provide additional guidance for the litigation of matters before the Board, the Office and workers' compensation judges (judges), and to refine the regulations governing practices and procedures before the Board, the Office and judges.

#### *Statutory Authority*

This rulemaking is proposed under the authority in sections 401.1, 435(a) and (c) and 1608 of the Workers' Compensation Act (act) (77 P. S. §§ 710, 991(a) and (c) and 2708), section 2205 of The Administrative Code of 1929 (71 P. S. § 565) and section 414 of The Pennsylvania Occupational Disease Act (77 P. S. § 1514).

#### *Background*

In 1980, the Secretary of the Department established a Rules Committee (Committee) to develop rules and procedures for the workers' compensation system. The Committee is comprised of Board representatives, judges, equal numbers of representatives of the claimant and defense bar and Department representatives. From time to time, this Committee reconvenes to review Chapters 111 and 131 and to consider whether amendments are necessary in light of changes in existing workers' compensation law, practice or procedures.

Chapters 111 and 131 have been amended in 1989, 1991, 2002 and 2009. Most recently, the Committee reconvened on November 18, 2011, for the purpose of reviewing Chapters 111 and 131 in light of recent appellate decisions and the advent of the Department's new computer system, Workers' Compensation Automation and Information System (WCAIS). The Committee also considered comments received from various stakeholders since the last amendments took effect in 2009. Additionally, the Committee discussed the need for rules to address issues raised by the creation of the Uninsured Employers Guaranty Fund (UEGF) in 2007.

After several meetings between 2011 and 2012, the Committee created a draft proposed rulemaking. In fall 2012, the draft was widely circulated throughout the workers' compensation community for the purpose of receiving additional comment. The Committee conducted interactive meetings with various groups, including the Pennsylvania Bar Association at the Workers' Compensation Fall Section Meeting, the Philadelphia Bar Association, the Allegheny County Bar Association and the Lancaster Bar Association to discuss the proposed changes and solicit comments. Additionally, the Commit-

tee presented the suggested amendments to the Pennsylvania Self-Insurers Association and the Workers' Compensation Advisory Council.

Following these meetings and presentations, the Committee circulated the comments and suggestions it received among the Committee members. Several meetings were conducted for the purpose of reviewing the suggestions and revising the proposed changes. The Committee reached a final consensus regarding the proposed revisions to Chapters 111 and 131 at a meeting conducted on May 2, 2013.

#### *Purpose*

This proposed rulemaking updates Chapters 111 and 131 to promote efficiency and to address new technological and statutory changes. Chapters 111 and 131 have not been updated since 2009. Since that time, the Department has been working on implementing WCAIS, an online workers' compensation claims information system encompassing the processes handled by the Bureau of Workers' Compensation (Bureau), the Office and Board. Also, during these years, the Department has monitored proceedings involving the UEGF and discovered inefficiencies and increased costs for the parties under the current system. The proposed rulemaking addresses these issues and ensures that parties will continue to be advised of up-to-date rules for practice and procedures before the Board, Office and judges.

#### *Affected Persons*

Those affected by this proposed rulemaking include the Board Commissioners and officials, employees of the Department, the Office and judges, as well as attorneys and litigants in the workers' compensation system in this Commonwealth.

#### *Fiscal Impact*

There is no significant fiscal impact associated with this proposed rulemaking. However, the proposed rulemaking may provide savings to the regulated community through: (1) reduced copying and mailing costs, as the number of copies of filings has been reduced and documents may be filed electronically; and (2) reduced overall litigation expenses for all parties to claim proceedings involving the UEGF due to better coordination and handling of the litigation process in these matters.

#### *Summary of Proposed Rulemaking*

This proposed rulemaking clarifies and provides detailed guidance for practice and procedure before the Board, the Office and judges.

#### *Chapter 111. Special rules of administrative practice and procedure before the Workers' Compensation Appeal Board*

The Department proposes to amend Chapter 111 to delete requirements that multiple copies of documents shall be filed with the Board.

Section 111.3 (relating to definitions) is proposed to be amended to clarify filing dates if filing by mail, common carrier, electronically or by hand-delivery. The definition of "common carrier" is proposed to be added.

Section 111.11 (relating to content and form) is proposed to be amended to clarify that an appeal of a judge's decision is deemed to include all claims, disputes and petitions referenced in the decision being appealed.



Section 111.12 (relating to filing, service and proof of service) is proposed to be amended to clarify requirements for appeals filed with the Board.

Section 111.13 (relating to processing of appeals and cross appeals) is proposed to be amended to delete the requirement that the date of the acknowledgement is 3 days subsequent to the date the acknowledgement is mailed.

Section 111.14 (relating to motions to quash) is proposed to be amended to delete the requirement that two copies of a motion to quash shall be filed with the original motion.

Section 111.16 (relating to briefs: content, form and time for filing) is proposed to be amended to delete the requirement that two copies of a brief shall be filed with the original brief.

Section 111.22 (relating to filing) is proposed to be amended to clarify the requirements for a request for supersedeas filed with the Board.

Section 111.24 (relating to disposition of request for supersedeas) is proposed to be amended to specify that the Board will have 30 days from the date of the receipt of the request for supersedeas to rule on a request or the request will be deemed denied.

Section 111.31 (relating to applicability) is proposed to be amended to clarify that Chapter 111, Subchapter D (relating to other petitions) also applies to petitions for reconsideration under section 426 of the act (77 P.S. § 871).

Section 111.32 (relating to form/content) is proposed to be amended to delete the requirement that two copies of a petition or request shall be filed with the original petition or request.

Section 111.34 (relating to answers to petitions) is proposed to be amended to delete the requirement that two copies of an answer shall be filed with the original answer.

*Chapter 131. Special rules of administrative practice and procedure before workers' compensation judges*

The Department proposes to add Chapter 131, Subchapter D (relating to proceedings involving the UEGF) to provide specific guidelines concerning these proceedings.

Section 131.3 (relating to waiver and modification of rules) is proposed to be amended to specify that the judge cannot waive or modify certain provisions in Chapter 131, Subchapter D.

Section 131.5 (relating to definitions) is proposed to be amended to add definitions of "Board," "claim petition" and "UEGF claim petition." The Department proposes to add a definition of "writing" to clarify that a "writing" can include electronic communications. The Department proposes to amend the definition of "party" to include "employee." The Department proposes to add "UEGF" to the definition of "Uninsured Employers Guaranty Fund."

Section 131.11 (relating to filing, service and proof of service) is proposed to be amended to clarify current filing and service requirements and to provide that a United States Postal Service Certificate of Mailing, USPS Form 3817 or similar form can be used as evidence of the filing date.

Section 131.32 (relating to petitions except petitions for joinder and challenge proceedings) is proposed to be amended to provide that a party shall file forms as prescribed by the instructions on the form. If a form is

not prescribed by the Department, the party shall file an original of the petition with the Department.

Section 131.33 (relating to answers except answers to petitions for joinder and challenge proceedings) is proposed to be amended to clarify requirements for filing answers to claim petitions and other petitions, except petitions for joinder, challenge proceedings and review of Utilization Review determinations.

Section 131.36 (relating to joinder) is proposed to be amended to specify that petitions for joinder and answers to the joinder petitions should be filed with the Department.

Section 131.52 (relating to first hearing procedures) is proposed to be amended to specify that, at the first hearing, parties shall identify Department documents that are relevant to the claim or dispute, rather than provide actual copies of those documents, to the judge.

Section 131.53a (relating to consolidated hearing procedure) is proposed to be amended to provide that 1 day trials or other consolidated hearing procedures may not apply to proceedings involving the UEGF as set out in Chapter 131, Subchapter D.

Section 131.53b (relating to bifurcation and summary disposition) is proposed to be amended to provide for and establish guidelines for handling motions for summary disposition.

Section 131.55 (relating to attorney fees and costs) is proposed to be amended to require claimant's counsel to submit a copy of the fee agreement or any other statement or claim for disbursements, costs and expenses and to obtain approval from the judge or the Board before the agreement, statement or claim will be valid.

Section 131.63 (relating to time for taking oral depositions) is proposed to be amended to provide that an oral deposition may be taken at any time subsequent to the date of the assignment, rather than the date of service, of the petition by the Department.

Section 131.81 (relating to subpoenas) is proposed to be amended to provide that objections to a request for a subpoena shall be made within 7 calendar days of the date of the request and prohibiting service of subpoenas prior to the expiration of this 7-day period, unless otherwise agreed to by the parties.

Section 131.91(b) (relating to stipulations of fact) is proposed to be amended to add a paragraph requiring stipulations to be signed by the claimant, all counsel and employer, if the employer is unrepresented. The Department further proposes to add paragraphs requiring the stipulation to expressly provide which petitions are being resolved; whether a petition is being withdrawn, granted or dismissed; and whether the parties are requesting an interlocutory order or a final order.

The Department proposes to add the following sections in Chapter 131, Subchapter D to promote proper outcomes of these matters and efficient use of all parties' litigation resources through better coordination of the UEGF claim proceeding with the related claim proceeding.

Section 131.201 (relating to petitions) provides that all references to petitions in Chapter 131, Subchapter D shall be defined as under § 131.5.

Section 131.202 (relating to first hearing information and stay) directs a judge to provide information about the UEGF to a claimant when a UEGF claim petition has not been filed and there is not an insurer listed on the notice of assignment or the insurer has filed a motion for dismissal based on noncoverage. If the claimant indicates

an intention to file a UEGF claim petition, the judge is directed to stay the proceedings until 20 days after the Notice of Assignment to the UEGF. If the UEGF claim petition is not filed within 45 days, the claim petition will proceed.

Section 131.203 (relating to hearing procedures) provides that § 131.53a does not apply to UEGF claim petitions or any matter consolidated with a UEGF claim petition.

Section 131.204 (relating to waiver and modification of §§ 131.202 and 131.203) directs that a judge may not modify or waive §§ 131.202 and 131.203 unless all participating parties, including the judge and the UEGF, agree to the modification or waiver in writing or on the record.

Section 131.205 (relating to UEGF subpoenas and interrogatories) authorizes judges to issue subpoenas, order testimony and compel completion of written interrogatories concerning the uninsured employer's financial history, condition or ability to pay an award. Additionally, this section authorizes a judge to compel the attendance of the parties at mediation.

#### *Reporting, Recordkeeping and Paperwork Requirements*

The proposed rulemaking does not require the creation of new forms. There are no other additional reporting, recording or paperwork requirements on either the Commonwealth or the regulated community.

#### *Effective Date*

This proposed rulemaking will be effective on final-form publication in the *Pennsylvania Bulletin*.

#### *Sunset Date*

A sunset date is not necessary. The Department will continue to monitor the impact and effectiveness of the regulations.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 10, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Committee on Labor and Industry and the House Labor Relations Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

#### *Contact Persons and Public Comment*

The contact person for Chapter 111 is Alfonso Frioni, Workers' Compensation Appeal Board, 901 North Seventh Street, 3rd Floor South, Harrisburg PA 17102, (412) 531-2680. The contact person for Chapter 131 is Elizabeth A. Crum, Director, Workers' Compensation Office of Adjudication, 1010 North Seventh Street, Harrisburg, PA 17102, (717) 783-4151.

Interested parties may submit written comments to Elizabeth A. Crum, Director, Workers' Compensation Of-

fice of Adjudication, WCAB/WCJ Regulations—Comments, 1010 North Seventh Street, Harrisburg, PA 17102 within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Written comments received by the Department will be made available to the public.

JULIA K. HEARTHWAY,  
*Secretary*

**Fiscal Note:** 12-99. No fiscal impact; (8) recommends adoption.

## **Annex A**

### **TITLE 34. LABOR AND INDUSTRY**

#### **PART VII. WORKERS' COMPENSATION APPEAL BOARD**

##### **CHAPTER 111. SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE BEFORE THE WORKERS' COMPENSATION APPEAL BOARD**

##### **Subchapter A. GENERAL PROVISIONS**

##### **§ 111.3. Definitions.**

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

\* \* \* \* \*

[ *Bureau*—The Bureau of Workers' Compensation of the Department. ]

*Common carrier*—An entity which is subject to the authority of the Pennsylvania Public Utility Commission or the United States National Surface Transportation Board.

*Disease Law*—The Pennsylvania Occupational Disease Act (77 P. S. §§ 1201—1603).

*Filing*—[ **Delivery by mail, in person or electronically. If filing by mail, it [**

(i) **Filing** is deemed complete upon deposit in the United States mail, as evidenced by a United States Postal Service postmark, properly addressed, with postage or charges prepaid. [ **If filing by hand delivery or electronically, the filing date is the Board's date of receipt. ] A filing bearing only a private postmark is deemed filed as of the date of its receipt by the Board.**

(ii) **When filing by common carrier, the date of filing is the date the document was delivered to the common carrier, as established by a document or other record prepared by the common carrier in the normal course of business. If the date of delivery to the common carrier cannot be determined by the common carrier's records, the date of filing will be the date of its receipt by the Board.**

(iii) **If filing by hand delivery or electronically, the filing date is the Board's date of receipt.**

*Judge*—A workers' compensation judge assigned by the Office of Adjudication as provided in section 401 of the act (77 P. S. § 701) or assigned by the Office of Adjudication to determine a petition filed under the Disease Law.

\* \* \* \* \*

##### **Subchapter B. APPEALS**

##### **§ 111.11. Content and form.**

(a) An appeal or cross appeal shall be filed with the Board on a form provided by the Board. All references to forms mean paper forms or an electronic format pre-

scribed by the Board and published in the *Pennsylvania Bulletin* or the Department's web site located at [www.dli.state.pa.us](http://www.dli.state.pa.us). All forms must contain the following information:

(1) The name and address of the claimant, name and address of the defendant, date of the injury, type of petition, [ **Bureau claim number,** ] insurance carrier and circulation date of the decision at issue. **An appeal from a workers' compensation judge's decision is deemed to include all claims, disputes and petitions referenced in the decision and order which are the subject of the appeal. This paragraph does not supersede the other requirements of this section.**

\* \* \* \* \*

(6) A proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service).

\* \* \* \* \*

#### § 111.12. Filing, service and proof of service.

(a) When filing [ **by mail or in person** ] other than electronically, an original [ **and two copies** ] of each appeal or cross-appeal shall be filed. [ **Only the original** ] The appeal shall have attached a copy of the judge's decision which is in question as required by § 111.11(a)(5) (relating to content and form).

(b) When filing electronically, [ **the Board will obtain a copy of the judge's decision from the Office of Adjudication** ] the petitioner shall follow the online procedures established by the Department.

\* \* \* \* \*

#### § 111.13. Processing of appeals and cross appeals.

(a) Upon receipt of an appeal or a cross appeal, the Board will acknowledge receipt to all parties. [ **The date of acknowledgment will be 3 days subsequent to the date the acknowledgment is mailed.** ]

\* \* \* \* \*

#### § 111.14. Motions to quash.

\* \* \* \* \*

(c) A motion to quash shall be accompanied by a proof of service conforming to [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service), insofar as applicable.

\* \* \* \* \*

(e) An original [ **and two copies of a** ] motion to quash shall be filed.

\* \* \* \* \*

#### § 111.16. Briefs: content and form and time for filing.

\* \* \* \* \*

(e) Briefs, except as otherwise allowed, shall consist of the following items, separately and distinctly set forth:

\* \* \* \* \*

(5) A proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service) insofar as applicable.

(f) An original [ **and two copies of briefs** ] brief shall be filed.

\* \* \* \* \*

### Subchapter C. SUPERSEDEAS ON APPEAL TO THE BOARD AND COURTS

#### § 111.21. Content and form.

(a) A request for supersedeas shall be filed as a separate petition from the appeal and be accompanied by the following:

(1) A copy of the decision **and order** of the judge or order and opinion of the Board from which the supersedeas is requested.

\* \* \* \* \*

(7) A proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service), insofar as applicable.

\* \* \* \* \*

#### § 111.22. Filing.

\* \* \* \* \*

(c) An original [ **and two copies of the** ] request for supersedeas shall be filed. [ **Only the original request for** ] The supersedeas request shall have attached a copy of the judge's decision **and order** or Board **opinion and order** from which the supersedeas is requested.

(d) A request for supersedeas shall be served on all the parties and be accompanied by a proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service).

\* \* \* \* \*

#### § 111.23. Answers.

\* \* \* \* \*

(b) An original [ **and two copies of an** ] answer shall be filed.

\* \* \* \* \*

(d) An answer filed under this subsection shall be accompanied by a proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service), insofar as applicable.

\* \* \* \* \*

#### § 111.24. Disposition of request for supersedeas.

\* \* \* \* \*

(b) The Board will rule on requests for supersedeas within [ **20 days of the date when the answer is due** ] **30 days of the date of receipt by the Board of the request**, or the request shall be deemed denied.

\* \* \* \* \*

### Subchapter D. OTHER PETITIONS

#### § 111.31. Applicability.

This subchapter applies to the following petitions or requests:

\* \* \* \* \*

(6) A petition for rehearing **or reconsideration** under section 426 of the act (77 P. S. § 871).

\* \* \* \* \*

#### § 111.32. Form/content.

(a) Petitions and requests shall contain and be accompanied by the following:

\* \* \* \* \*



(6) A proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service), insofar as applicable.

\* \* \* \* \*

(c) An original [ and two copies of petitions and requests ] petition and request shall be filed.

\* \* \* \* \*

#### § 111.34. Answers to petitions.

\* \* \* \* \*

(b) An original [ and two copies of an ] answer shall be filed.

\* \* \* \* \*

(d) An answer filed shall be accompanied by a proof of service as specified in [ § 111.12(d) ] § 111.12(e) (relating to filing, service and proof of service), insofar as applicable.

\* \* \* \* \*

### PART VIII. BUREAU OF WORKERS' COMPENSATION

#### CHAPTER 131. SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE BEFORE WORKERS' COMPENSATION JUDGES

##### Subchapter A. GENERAL PROVISIONS

#### § 131.3. Waiver and modification of rules.

(a) The judge may, for good cause, waive or modify a provision of this chapter, except as otherwise provided in § 131.59b(a) and Subchapter D (relating to mandatory mediation; and proceedings involving the UEGF), upon motion of a party, agreement of all parties or upon the judge's own motion.

\* \* \* \* \*

#### § 131.5. Definitions.

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

\* \* \* \* \*

*Adjudicating judge*—A judge assigned to hold hearings and issue decisions relating to a petition or petitions.

*Board*—The Workers' Compensation Appeal Board.

[ *Bureau*—The Bureau of Workers' Compensation of the Department.

*Bureau record*—Official copies of documents received by the Bureau, on forms prescribed by the Bureau, if forms prescribed by the Bureau are available, or official copies of documents received by the Bureau on forms prepared by a party if no forms prescribed by the Bureau are available, which record transactions between the parties and which are determined by the judge to pertain to the case. ]

*Challenge proceeding*—A proceeding governed by § 131.50a (relating to employee request for special supersedeas hearing under section 413(c) and (d) of the act).

*Claim petition*—A petition filed with the Department under section 410 of the act (77 P.S. § 751).

*Claimant*—An individual who files a petition for, or otherwise receives, benefits under the act or the Disease Law.

*Defendant*—An employer, insurance carrier and the Commonwealth, unless specifically designated individually, and the Uninsured Employers Guaranty Fund, except for purposes of joinder, penalties or assessment of counsel fees under section 440 of the act (77 P.S. § 996).

*Department*—The Department of Labor and Industry of the Commonwealth.

*Department record*—Official copies of documents received by the Department, on forms prescribed by the Department, if forms prescribed by the Department are available, or official copies of documents received by the Department on forms prepared by a party if forms prescribed by the Department are not available, which record transactions between the parties and which are determined by the judge to pertain to the case.

*Director of Adjudication*—The individual specified in section 1402 of the act (77 P.S. § 2502).

\* \* \* \* \*

*Party*—A claimant, employee, defendant, employer, insurance carrier, additional defendant, health care provider and, if relevant, the Commonwealth and the Uninsured Employers Guaranty Fund. An act required or authorized by this chapter, to be done by or to a party, may be done by or to that party's counsel of record.

\* \* \* \* \*

*Supersedeas*—A temporary stay affecting a workers' compensation case.

*UEGF—Uninsured Employers Guaranty Fund*—The special fund established under Article XVI of the act (77 P.S. §§ 2701—2708).

*UEGF claim petition*—A petition filed with the Department under section 1604 of the act (77 P.S. § 2704)

*Voluntary mediation*—A mediation conducted by a judge under § 131.59a (relating to voluntary mediation) upon the agreement of the contending parties and the judge.

(b) Subsection (a) supersedes 1 Pa. Code §§ 31.3 and 33.33 (relating to definitions; and effect of service upon an attorney).

*Writing*—Includes electronic communications in a format as prescribed by the Department.

##### Subchapter B. TIME

#### § 131.11. Filing, service and proof of service.

(a) Whenever filing is required by this chapter, it is deemed complete upon one of the following:

\* \* \* \* \*

(3) [ If by mail, upon deposit in the United States Mail, as evidenced by a United States Postal Service postmark, properly addressed, with postage or charges prepaid. ] If by mail, properly addressed, postage or charges prepaid evidenced by either of the following:

(i) Upon deposit in the United States Mail, a United States Postal Mark.

(ii) United States Postal Service Certificate of Mailing (USPS form 3817 or other similar United States Postal Service Postal Service form from

which the date of deposit can be verified), enclosed with the filing or mailed separately to the Department.

(b) Whenever service is required by this chapter, it is deemed complete upon one of the following:

\* \* \* \* \*

(3) [ If by mail, upon deposit in the United States Mail, as evidenced by a United States Postal Service postmark, properly addressed, with postage or charges prepaid, except as provided in § 131.81(b) (relating to subpoenas). ] Except as provided in § 131.81(b) (relating to subpoenas), if by mail, upon deposit in the United States Mail properly addressed, postage or charges prepaid and accompanied by proof of service.

\* \* \* \* \*

(e) Unless otherwise specifically provided in this chapter, whenever the filing or service is required to be made upon the [ Bureau ] Department, it shall be made to [ the principal office of the Bureau at: 1171 South Cameron Street, Harrisburg, Pennsylvania 17104-2501, (717) 783-5421, or another address and telephone number ] an address as may be published in the *Pennsylvania Bulletin* or on the Department's web site located at [www.dli.state.pa.us](http://www.dli.state.pa.us). Electronic filing and service on the [ Bureau ] Department shall be at the electronic address and in a format as prescribed by the [ Bureau ] Department and published in the *Pennsylvania Bulletin* or on the Department's web site located at [www.dli.state.pa.us](http://www.dli.state.pa.us).

\* \* \* \* \*

## Subchapter C. FORMAL PROCEEDINGS

### GENERAL

#### § 131.21. Identifying number.

(a) Pleadings, documents and other submittals filed in a proceeding shall be identified by an identifying number assigned by the [ Bureau ] Department.

\* \* \* \* \*

### PLEADINGS

#### § 131.32. Petitions except petitions for joinder and challenge proceedings.

(a) Petitions shall be in the form prescribed by the [ Bureau ] Department.

(b) [ If the petition is filed on a Bureau petition form, an original and the number of copies specified on the petition form shall be filed with the Bureau. ] Any petition, filed in accordance with this chapter, shall be filed with the Department as prescribed by the form. If there is no applicable [ Bureau ] Department petition form available, an original of the petition shall be filed with the [ Bureau ] Department. The [ Bureau ] Department will serve a notice of assignment specifying the judge to whom the petition has been assigned. The notice will be served on the parties named in the petition.

(c) Concurrently with filing the petition with the [ Bureau ] Department, the moving party shall serve a copy

of the petition on all other parties, including the insurance carrier, if the insurance carrier is known, and on the attorneys of all other parties, if the attorneys are known.

\* \* \* \* \*

#### § 131.33. Answers except answers to petitions for joinder and challenge proceedings.

(a) Answers to [ all petitions except petitions for joinder and challenge proceedings ] claim petitions shall be filed in accordance with section 416 of the act (77 P. S. § 821) within 20 days after the date of assignment [ by the Bureau ] to the judge. Answers to all other petitions may be filed within 20 days after the date of assignment to the judge, except petitions for joinder, challenge proceedings and review of Utilization Review determinations.

(b) [ If the answer is filed on a Bureau answer form, an original and the number of copies specified on the answer form shall be filed with the judge to whom the petition has been assigned. ] Any answer filed in accordance with this chapter shall be filed with the Department as prescribed on the answer form. If there is no applicable [ Bureau ] Department answer form available, an original of the answer shall be filed with the [ judge to whom the petition has been assigned ] Department.

(c) Concurrently with filing the answer [ with the judge ], the responding party shall serve a copy of the answer on unrepresented parties and on counsel of record.

\* \* \* \* \*

#### § 131.36. Joinder.

\* \* \* \* \*

(d) [ An original and the number of copies specified on the Bureau ] The petition for joinder form shall be filed with the Department no later than 20 days after the first hearing at which evidence is received regarding the reason for which joinder is sought, unless the time is extended by the judge for good cause shown.

[ (e) The petition for joinder shall be filed with the Bureau and an original of any answer shall be filed with the office of the judge to whom the case has been assigned.

(f) [ (e) An answer to a petition for joinder shall be filed in accordance with section 416 of the act (77 P. S. § 821) within 20 days after the date of assignment by the [ Bureau ] Department to the judge and may include a motion to strike.

[ (g) ] (f) A party filing a petition for joinder or an answer to it shall serve unrepresented parties and counsel of record.

[ (h) ] (g) A proof of service shall be attached to the petition for joinder or answer.

[ (i) ] (h) After joinder, the original petition shall be deemed amended to assert a claim of the claimant against an additional defendant. The additional defendant is liable to any other party as the judge orders. The additional defendant shall have the same rights and responsibilities under this chapter as the original defendant.

[ (j) ] (i) The judge may strike the petition for joinder, and the judge may order the severance or separate hearing of a claim presented therein, or as a result of the joinder.

[ (k) ] (j) The judge will issue an order when the motion to strike a petition for joinder is granted.

[ (l) ] (k) An order to strike a petition for joinder does not preclude or delay further proceedings before the judge.

[ (m) ] (l) Subsections [ (a)—(l) ] (a)—(k) supersede 1 Pa. Code §§ 31.5, 33.41, 33.42, 35.11, 35.35, 35.40, 35.48—35.51, 35.54 and 35.55 and also supersede 1 Pa. Code Chapter 35, Subchapter D (relating to motions).

\* \* \* \* \*

#### SUPERSEDEAS

##### § 131.50. Return to work—modification or suspension.

\* \* \* \* \*

(b) The insurer shall complete and file the form prescribed by the [ Bureau ] Department. The form shall be provided to the employee, employee's counsel, if known, and the [ Bureau ] Department within 7 days of the effective date of the suspension or modification of the workers' compensation benefits.

\* \* \* \* \*

#### HEARING PROCEDURE

##### § 131.52. First hearing procedures.

\* \* \* \* \*

(e) The parties shall [ provide the judge with ] identify all documents required by law to be filed with the [ Bureau ] Department and which are relevant to issues in dispute with the same injury date and pertaining to the same claim. The judge will place those documents in evidence along with any other documents required to be filed by law with the [ Bureau ] Department or prior judges and which the judge deems relevant to the proceeding. The judge and the employee may not introduce the First Report of Injury into evidence.

\* \* \* \* \*

##### § 131.53a. Consolidated hearing procedure.

(a) [ One day ] Except as otherwise provided in Subchapter D (relating to proceedings involving the UEGF), one-day trials or other consolidated hearing procedures may be scheduled and conducted pursuant to this chapter to the extent practical. The judge may waive or modify this chapter as may be appropriate and adopt and direct procedures which are fair and just for a determination of the issues consistent with the act.

\* \* \* \* \*

##### § 131.53b. Bifurcation and summary disposition.

\* \* \* \* \*

[ (b) Subsection (a) supersedes 1 Pa. Code §§ 35.180 and 35.225 (relating to action on motions; and interlocutory orders). ]

(b) A motion which may result in summary disposition of the claim may be filed at any time. The judge will issue an order granting or denying the motion, or will provide reasons why the motion will not be ruled upon, within 45 days of the motion's

filing. If the motion will not be ruled upon, the judge will articulate in writing or on the record the substantial and compelling reasons for not ruling on the motion. Pendency of the motion will not operate as a stay.

(c) Subsections (a) and (b) supersede 1 Pa. Code §§ 35.54, 35.55, 35.177—35.180 and 35.225.

##### § 131.55. Attorney fees and costs.

(a) In all cases, claimant's counsel shall submit a copy of the fee agreement or claim, and a copy of any statement or claim for disbursements, costs and expenses. No agreement or claim for fees or other disbursements, costs or expenses, by claimant's counsel shall be valid, and no payments shall be made pursuant thereto, unless approved for payment by the judge before whom the matter is heard or by the Board as provided by law. Except as otherwise approved, no further fee, cost or expense is to be charged.

[ (a) ] (b) Under section 440 of the act (77 P. S. § 996), in a disputed claim under the act when the employer or insurer has contested liability in whole or in part, the employee or a dependent, in whose favor the proceeding has been finally decided, will be awarded attorney fees and costs against the employer or insurer, unless the employer or insurer had a reasonable basis for contesting the petition.

[ (b) ] (c) Claimant's counsel may file an application for quantum meruit fees at or before the filing of proposed findings of fact, proposed conclusions of law and briefs, and if there are no proposed findings of fact, proposed conclusions of law or briefs requested, at or before the close of the record. The application shall detail the calculation of the fee requested, shall itemize the services rendered and time expended and shall address all factors enumerated in section 440 of the act [ (77 P. S. § 996) ] in support of the application.

[ (c) ] (d) Within 15 days after service of the application for quantum meruit fees, an opposing party may file a response to the application detailing the objections to the fee requested.

[ (d) ] (e) A decision on the fee award will be made based on the record of the case and, if filed, the application and response. If deemed appropriate by the judge, a hearing may be held and evidence presented.

[ (e) ] (f) The application and response will be made exhibits of record and shall be served on unrepresented parties and counsel of record as provided in § 131.34(a) (relating to other filings).

[ (f) ] (g) Subsections [ (a)—(e) ] (a)—(f) supersede 1 Pa. Code §§ 35.1 and 35.2 (relating to applications generally; and contents of applications).

##### § 131.57. Compromise and release agreements.

\* \* \* \* \*

(b) Proposed compromise and release agreements, including the stipulations of the parties, shall be recorded on a form prescribed by the [ Bureau ] Department. The parties may attach additional information to the form if circumstances so require.

\* \* \* \* \*

##### § 131.58. Informal conferences.

\* \* \* \* \*



(c) The request for the informal conference shall be recorded on a form prescribed by the [ **Bureau** ] **Department** and filed with the judge to whom the pending petition has been assigned.

(d) If no petition is pending, a petition and corresponding request for the informal conference shall be filed with the [ **Bureau** ] **Department** on a form prescribed by the [ **Bureau** ] **Department**.

(e) The informal conference will be governed by the instructions and procedures specified on the form prescribed by the [ **Bureau** ] **Department** and by section 402.1 of the act [ (77 P. S. § 711.1) ].

\* \* \* \* \*

#### § 131.60. Resolution hearings.

\* \* \* \* \*

(g) The judge conducting the resolution hearing will require proof that a petition has been filed with the [ **Bureau** ] **Department** under § 131.11 (relating to filing, service and proof of service), and will make the proof a part of the record. Upon receiving the proof, the judge shall proceed with the hearing and circulate a final decision within 5 business days of the hearing.

\* \* \* \* \*

### EXCHANGE OF INFORMATION AND DEPOSITIONS OF DISCOVERY

#### § 131.63. Time for taking oral depositions.

(a) An oral deposition may be taken at any time subsequent to 30 days after the date of [ **service** ] **assignment** of the petition by the [ **Bureau** ] **Department**.

\* \* \* \* \*

### SUBPOENAS

#### § 131.81. Subpoenas.

(a) Upon written **or electronic** request of a party or counsel of record in a pending proceeding, the judge will issue a subpoena to compel the attendance of a witness or require the production of books, documents, records, CD ROMs, diskettes, other digital recordings or other things relevant to the proceeding at a scheduled hearing or deposition within the scope of, and scheduled under, this chapter. The party requesting a subpoena shall **complete the subpoena** and serve the judge with the original written request and shall serve a copy of the written request on unrepresented parties and counsel of record as provided in § 131.34(a) (relating to other filings).

**(b) Any objections to a request for a subpoena shall be made within 7 calendar days of the date of the request. Subpoenas may not be served until the expiration of the 7 calendar day period unless waived by agreement of the parties.**

[ (b) ] (c) The party, counsel of record or their respective agents requesting a subpoena shall serve the subpoena upon the witness or person subpoenaed and upon opposing counsel.

\* \* \* \* \*

[ (c) ] (d) Upon the filing of written objections by a person served with a subpoena or a party, the judge may, after notice to counsel of record and unrepresented parties, promptly quash or limit the scope of a subpoena issued or served.

[ (d) ] (e) If the person fails to appear, or has given notice of the intention not to appear, as required by a subpoena duly served, the judge will upon request of a party, communicate to the witness the requirements of the act that the person so appear and advise the person of the enforcement provisions under section 436 of the act (77 P. S. § 992).

[ (e) ] (f) Subsections [ (a)—(d) ] (a)—(e) supersede 1 Pa. Code §§ 35.139 and 35.142 (relating to fees of witnesses; and subpoenas).

### STIPULATIONS

#### § 131.91. Stipulations of fact.

\* \* \* \* \*

(b) The judge may issue a decision based on stipulations of fact, if the judge is satisfied that:

(1) The stipulations of fact are fair and equitable to the parties involved.

(2) The claimant understands the stipulations of fact and the effect of the stipulations of fact on future payments of compensation and medical expenses.

**(3) A stipulation, which is dispositive of the case, shall be signed and dated by the claimant, all counsel participating in the agreement and the employer, when unrepresented.**

(4) The stipulation states which petitions are being resolved and which petitions are not being resolved.

**(5) The stipulation states whether each petition should be withdrawn, granted or dismissed, and whether the parties are requesting an interlocutory or a final order.**

(c) Subsections (a) and (b) supersede 1 Pa. Code § 35.155 (relating to presentation and effect of stipulations).

*(Editor's Note: The following subchapter is new and printed in regular type to enhance readability.)*

### Subchapter D. PROCEEDINGS INVOLVING THE UEGF

Sec.

131.201. Petitions.

131.202. First hearing information and stay.

131.203. Hearing procedures.

131.204. Waiver and modification of §§ 131.202 and 131.203.

131.205. UEGF subpoenas and interrogatories.

#### § 131.201. Petitions.

(a) All references to petitions in this subchapter are as defined under § 131.5 (relating to definitions).

(b) Subsection (a) supersedes 1 Pa. Code § 31.3 (relating to definitions).

#### § 131.202. First hearing information and stay.

(a) At the first hearing on a claim petition where no UEGF claim petition has been filed and there is either no insurer listed on the notice of assignment or the listed insurer files a motion to dismiss for lack of coverage, the judge will inform the claimant on the record of the existence of the UEGF and give the claimant information about the UEGF, as provided by the Office of Adjudication.

(b) If the claimant informs the judge on the record that he may wish to file a UEGF claim petition, the judge will stay the proceeding in the claim petition until 20 days after the assignment of the UEGF claim petition. The



stay may not apply to the exchange of information referenced in § 131.61 (relating to exchange of information).

(c) If no UEGF claim petition is filed within 45 days of the first hearing, the claim petition will proceed against the uninsured employer.

(d) If the claimant informs the judge on the record that he does not wish to file a UEGF claim petition, testimony may be taken as directed by the judge.

(e) Subsections (a)—(d) supersede 1 Pa. Code §§ 35.123—35.128, 35.187 and 35.188.

**§ 131.203. Hearing procedures.**

Section 131.53a (relating to consolidated hearing procedure) does not apply to UEGF claim petitions or any petitions consolidated with UEGF claim petitions under § 131.30 (relating to consolidation).

**§ 131.204. Waiver and modification of §§ 131.202 and 131.203.**

(a) Sections 131.202 and 131.203 (relating to first hearing information and stay; and hearing procedures) cannot be waived or modified, as otherwise provided in

§ 131.3 (relating to waiver and modification of rules), unless the judge and all participating parties, including the UEGF, agree to a waiver or modification in writing or on the record.

(b) Subsection (a) supersedes 1 Pa. Code §§ 33.61 and 35.18 (relating to applications for waiver of formal requirements; and petitions for issuance, amendment, waiver or deletion of regulations).

**§ 131.205. UEGF subpoenas and interrogatories.**

(a) The judge may issue subpoenas, order testimony or compel the completion of written interrogatories with respect to the alleged uninsured employer's financial history, condition or ability to pay an award.

(b) The judge may compel the attendance of all parties at mediation.

(c) Subsections (a) and (b) supersede 1 Pa. Code §§ 35.111—35.116, 35.137—35.147, 35.150, 35.161, 35.162, 35.187 and 35.188.

[Pa.B. Doc. No. 14-373. Filed for public inspection February 21, 2014, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Department of Revenue

The Executive Board approved a reorganization of the Department of Revenue effective January 21, 2014.

The organization chart at 44 Pa.B. 1006 (February 22, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 14-374. Filed for public inspection February 21, 2014, 9:00 a.m.]

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### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Governor's Office of the Budget

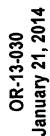
The Executive Board approved a reorganization of the Governor's Office of the Budget effective January 21, 2014.

The organization chart at 44 Pa.B. 1007 (February 22, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

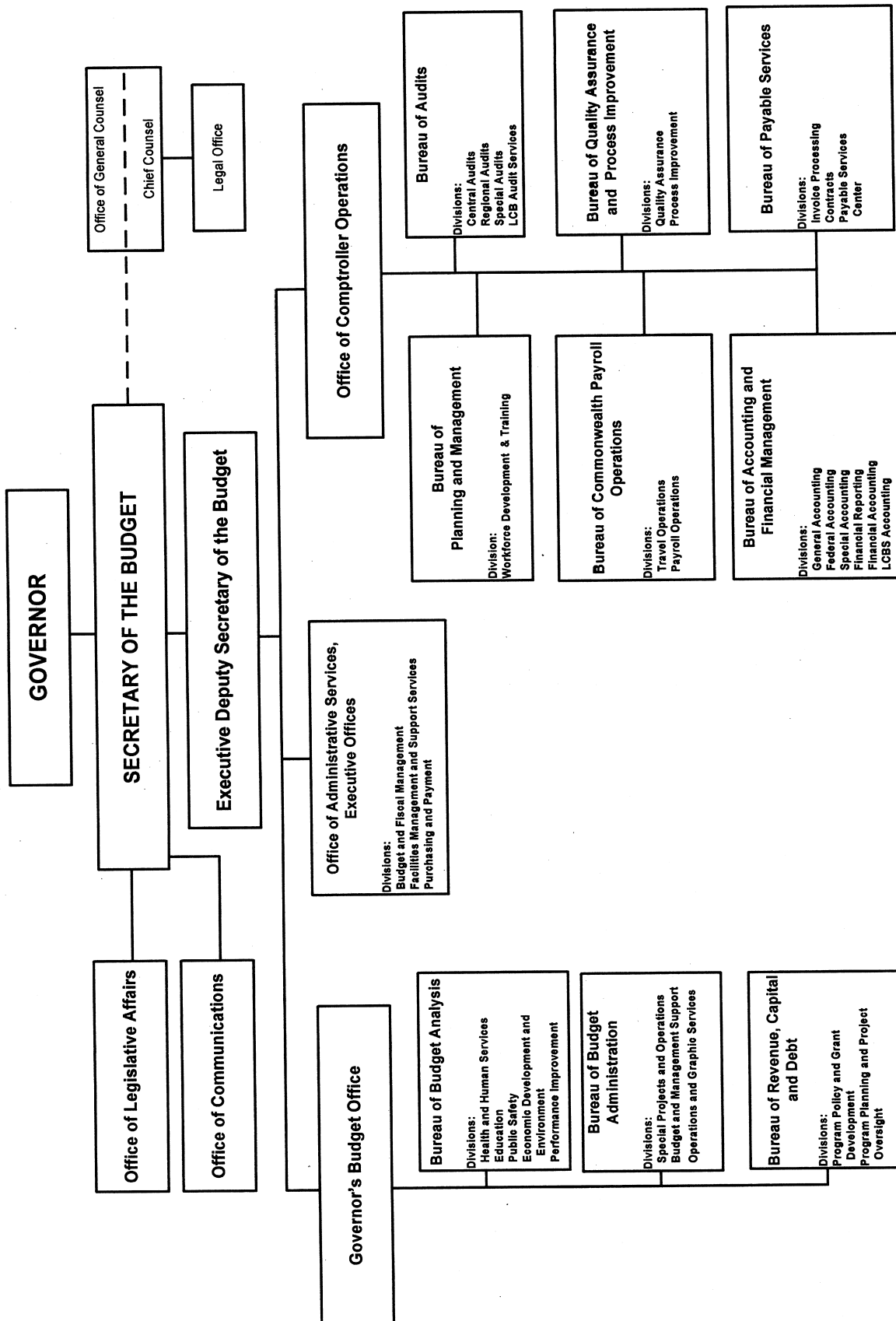
[Pa.B. Doc. No. 14-375. Filed for public inspection February 21, 2014, 9:00 a.m.]

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## GOVERNOR'S OFFICE OF THE BUDGET

OR-14-001  
January 21, 2014



# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Tuesday, March 11, 2014. A conference session and business meeting will be held the following day on Wednesday, March 12, 2014. The hearing, conference session and business meeting are open to the public and will take place at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

**Public hearing.** The public hearing on March 11, 2014, will begin at 1:30 p.m. Hearing items will include draft dockets for the withdrawals, discharges and other water-related projects listed as follows and a resolution to adopt the Commission's capital and operating budgets for Fiscal Year 2015. Written comments on draft dockets and the resolution scheduled for hearing on March 11, 2014, will be accepted through the close of the hearing that day. After the hearing on all scheduled matters has been completed, the meeting will include an opportunity for public dialogue.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review.

Draft dockets and resolutions scheduled for hearing are posted on the Commission's web site at [www.drbc.net](http://www.drbc.net), 10 days prior to the hearing date. Additional public records relating to the hearing items may be examined at the Commission's offices. Contact Project Review Section assistant Victoria Lawson at (609) 883-9500, Ext. 216, with any questions concerning these items.

1. *Melody Lakes Management, LLC, D-1980-079 CP-4.* An application to renew the approval of the applicant's existing 0.072 million gallons per day (mgd) wastewater treatment plant (WWTP) and its discharge. Treated effluent will continue to be discharged to an unnamed tributary (UNT) of Tohickon Creek at River Mile 157.0—11.8—6.38—9.08—0.1 (Delaware River—Tohickon Creek—Lake Nockamixon—Tohickon Creek—UNT) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Richland Township, Bucks County, PA.

2. *Tobyhanna Army Depot (TYAD), D-1987-057 CP-3.* An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 20.66 million gallons per month (mgm) from Wells Nos. 1—6. Water is used for domestic water supply, industrial processes and cooling and commercial purposes at TYAD. The project wells are located in the Poplar Gap Member of the Catskill Formation in the Tobyhanna Creek Watershed, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Coolbaugh Township, Monroe County, PA.

3. *Schuylkill County Municipal Authority, D-1991-016 CP-2.* An application to renew the approval of the applicant's existing 0.396 mgd Broad Mountain water filtration plant (WFP) and its discharge. Treated effluent will

continue to be discharged to Wolf Creek at River Mile 92.47—125.15—4.02—0.50 (Delaware River—Schuylkill River—Mill Creek—Wolf Creek) by means of Outfall No. 001 in Blythe Township, Schuylkill County, PA.

4. *New Castle County Department of Special Services, D-1993-006 CP-3.* An application to renew the approval of the existing 2.5 mgd Middletown-Odessa-Townsend Regional WWTP and spray irrigation facility and its discharge. When the treated effluent cannot be spray irrigated, the WWTP will continue to discharge to a UNT of Appoquinimink River at River Mile 50.88—6.2—0.2 (Delaware River—Appoquinimink River—UNT Appoquinimink River) in New Castle County, DE.

5. *Accellent, Inc., D-1993-061-3.* An application to renew the approval of an existing GWD of up to 3.265 mgm associated with the remediation of groundwater from existing Wells Nos. UTM-1 and UTM-11 completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's Southeastern Pennsylvania Ground Water Protected Area (GWPA) in the Perkiomen Creek Watershed in Trappe Borough, Montgomery County, PA.

6. *Shawnee's Great Bear Golf Course, LLC, D-1996-014-2.* An application to renew the approval of an existing groundwater and surface water withdrawal of up to 12.4 mgm from an existing irrigation pond and Wells Nos. 1 and 2 completed in the Buttermilk Falls-Esopus Formations. The requested allocation, for the purpose of irrigating the applicant's golf course, is not an increase from the previous allocation. The wells are located in the Sand Hill and Shawnee Creek watersheds within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Middle Smithfield Township, Monroe County, PA.

7. *Northside Heights Mobile Home Estates, D-1996-039 CP-2.* An application to renew the approval of the applicant's existing 0.1 mgd WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Lizard Creek at River Mile 183.66—39.6—6.95—0.18 (Delaware River—Lehigh River—Lizard Creek—UNT) by means of Outfall No. 001 within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in East Penn Township, Carbon County, PA.

8. *Pennsylvania American Water Company, D-1997-034 CP-2.* An application to renew the approval of an existing GWD of up to 23.56 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1—7, 9, 10, 10A and 12 completed in the Delaware River Member, Towamensing Member, Sloat Brook Member and Millrift Member. The requested allocation is not an increase from the previous allocation. The wells are in the Saw Creek Watershed within the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Lehman Township, Pike County, PA.

9. *Hemlock Farms Community Association, D-2000-060 CP-2.* An application to renew the approval of an existing withdrawal of up to 31.0 mgm of groundwater from Wells Nos. 1, 4, 10, 49 and 80 for use in the applicant's existing public water supply system. The requested allocation is



not an increase in the previously approved allocation. The wells are completed in the Catskill Formation in the Bushkill Creek and Shohola Creek watersheds in Blooming Grove Township, Pike County, PA within the drainage area of sections of the nontidal Delaware River known as the Middle Delaware (Bushkill Creek Watershed) and Upper Delaware (Shohola Creek Watershed), respectively, which the Commission has classified as Special Protection Waters.

10. *Wernersville Municipal Authority, D-2001-017 CP-2.* An application to renew the approval of an existing GWD project to supply up to 30.866 mgm of groundwater to the applicant's public water supply system from existing Wells Nos. 3—8, 12, the Tunnel Well and 11 spring sources and to renew the approval of a transfer of up to 12.679 mgm of water (average of 0.409 mgd) from Western Berks Water Authority (WBWA). The total system allocation of 30.866 mgm of water from all sources, including the wells, springs and the WBWA interconnection, is not an increase in total allocation from that contained in the applicant's previous approval. The total groundwater allocation approved by this docket constitutes an increase of 17.6 million gallons per 30 days (18.187 mgm) from the previously approved groundwater allocation. The applicant's wells are completed in the Hardyston Formation, Richland Formation and granitic gneiss within the drainage area of Spring Creek in the Tulpehocken Creek Watershed in South Heidelberg Township and Wernersville Borough, Berks County, PA.

11. *Oley Township Municipal Authority, D-2001-036 CP-2.* An application to renew the approval of an existing GWD with a decrease in allocation from 13.37 mgm to 10.416 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1—4 completed in granitic gneiss. Well No. 1 is located in the Furnace Creek Watershed and Wells Nos. 2—4 are located in the Manatawny Creek Watershed, in Oley Township, Berks County, PA.

12. *Eagle Creek Hydro Power, LLC, D-2001-038 CP-2.* An application to renew the approval to release water from the Swinging Bridge Reservoir (SBR) to generate hydro-electricity. The SBR is located at River Mile 261.1—11.9 (Delaware River—Mongaup River) in Sullivan and Orange Counties, NY. Both the dam and hydro-electric projects are located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

13. *Summit Management & Utilities, Inc., D-2001-056 CP-2.* An application to renew the approval of an existing GWD of up to 23.147 mgm from existing Wells Nos. 1—3 in the Polar Gap Member of the Catskill Formation to supply the applicant's public water supply distribution system and irrigate its golf course. The request is not an increase from the previous allocation. The wells are located in the Tunkhannock Creek Watershed, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Kidder Township, Carbon County, PA.

14. *Slatington Borough Authority, D-2003-015 CP-2.* An application to renew the approval of the applicant's existing 1.5 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.66—33.66 (Delaware River—Lehigh River) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission

has classified as Special Protection Waters, in the Borough of Slatington, Lehigh County, PA.

15. *Pennsylvania American Water Company, D-2003-019 CP-2.* An application to renew the approval of an existing GWD and to approve an increase in allocation from 7.75 mgm to 11.28 mgm from existing Wells Nos. 1—6, completed in the Towamensing Member of the Catskill Formation, to supply the applicant's public water supply distribution system. The wells are located in Little Bushkill Watershed within the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Lehman Township, Pike County, PA.

16. *Telford Borough Authority, D-2004-010 CP-2.* An application to renew the approval of an existing GWD of up to 38.6 mgm to supply the applicant's public water supply system from existing Wells Nos. 1—7 completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's Southeastern Pennsylvania GWPA in the East Branch Perkiomen Creek Watershed in Telford Borough, Bucks and Montgomery Counties, PA.

17. *New York City Department of Environmental Protection, D-2004-028 CP-3.* A proposal to revise language in a docket approved by the Commission on December 5, 2012, pertaining to flood-proofing and the collection system for the existing 2.5 mgd Port Jervis WWTP and its discharge. Treated effluent will continue to be discharged to the Neversink River at River Mile 253.64—0.82 (Delaware River—Neversink River) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is classified as Special Protection Waters, in the City of Port Jervis, Orange County, NY.

18. *Pennsylvania State Department of Conservation and Natural Resources, D-2005-008 CP-2.* An application to renew the approval of the existing 0.06 mgd Hickory Run State Park WWTP and its discharge. The WWTP will continue to discharge to Hickory Run, a tributary of the Lehigh River, at River Mile 183.7—67.3—1.7 (Delaware River—Lehigh River—Hickory Run), within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters, in Kidder Township, Carbon County, PA.

19. *Maxatawny Township, D-2007-001 CP-2.* An application to renew the approval of the existing 0.14 mgd Maxatawny WWTP and its discharge. The WWTP will continue to discharge to Sacony Creek, a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at River Mile 92.5—86.2—2.9—5.4—2.1—6.6 (Delaware River—Schuylkill River—Maiden Creek—Lake Ontelaunee—Maiden Creek—Sacony Creek) upstream of Lake Ontelaunee, in Maxatawny Township, Berks County, PA.

20. *Keystone Mobile Home Park, D-2008-007 CP-2.* An application to renew the approval of the applicant's existing 0.0375 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.6—26.4 (Delaware River—Lehigh River) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, PA.

21. *UMH Properties, Inc., D-2009-021 CP-2*. An application to renew the approval of the existing 0.08325 mgd Highland Estates Mobile Home Park WWTP and its discharge. The WWTP will continue to discharge to Mill Creek, a tributary of Sacony Creek, which is a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at River Mile 92.5—86.2—2.9—5.4—2.1—5.6—5.1—1.0 (Delaware River—Schuylkill River—Maiden Creek—Lake Ontelaunee—Maiden Creek—Sacony Creek—Mill Creek) upstream of Lake Ontelaunee, in Greenwich Township, Berks County, PA.

22. *Wallenpaupack School District, D-2009-027 CP-2*. An application to renew the approval of the existing 0.01 mgd Newfoundland WWTP and its discharge. The WWTP will continue to discharge to Wallenpaupack Creek upstream of Lake Wallenpaupack, which is a tributary of the Lackawaxen River, at River Mile 277.7—15.8—1.4—12.7—7.8 (Delaware River—Lackawaxen River—Wallenpaupack Creek—Lake Wallenpaupack—Wallenpaupack Creek) within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Dreher Township, Wayne County, PA.

23. *Lakeview Estates Homeowner's Association, D-2010-032 CP-2*. An application to renew the approval of the existing 0.054 mgd Lakeview Estates WWTP and its discharge. The WWTP will continue to discharge to a UNT of the Lehigh River, at River Mile 183.7—101.3—1.2 (Delaware River—Lehigh River—UNT Lehigh River), within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lehigh Township, Wayne County, PA.

24. *Glenn Springs Holdings, Inc., D-1976-017-3*. An application to renew the approval to withdraw up to 15.5 mgm of groundwater from 11 previously approved recovery wells and one additional existing recovery well, and to treat and discharge the water into the Schuylkill River by means of outfall No. 005, for the purpose of groundwater remediation. All 12 wells are completed in the Brunswick Formation in the Schuylkill River Watershed. Water is treated by carbon absorption and air stripping before it is discharged by means of an existing stormwater outfall to the Schuylkill River at River Mile 92.47—50.9 (Delaware River—Schuylkill River). No increase in the previously approved groundwater allocation or treatment capacity is proposed. The groundwater remediation project is located within the Commission's Southeastern Pennsylvania GWPA, in Lower Pottsgrove Township, Montgomery County, PA.

25. *Downingtown Municipal Water Authority, D-2006-031 CP-2*. An application to renew the approval of the existing filter backwash discharge from the 2.5 mgd Downingtown Municipal Authority WFP. The WFP supernatant from the sludge thickening/holding tank will continue to be discharged at a rate up to 0.466 mgd (average of 0.26 mgd) to an onsite stormwater basin which drains to a UNT to East Branch Brandywine Creek at River Mile 70.73—1.5—20.0—9.0—0.4 (Delaware River—Christina River—Brandywine Creek—East Branch Brandywine Creek—UNT to East Branch Brandywine Creek) by means of Outfall No. 001 in Downingtown Borough, Chester County, PA. The proposed discharge rate is an increase from the maximum discharge of 0.10 mgd approved in Docket No. D-2006-31 CP-1. The increase in flow is due to more frequent filter backwash and clarifier flush cycles to produce drinking water with less than 0.1 NTU turbidity.

26. *Tobyhanna Army Depot, D-2009-041 CP-2*. An application for the renewal and modification of an existing discharge from the 0.802 mgd Tobyhanna Army Depot WWTP. The applicant has also requested a variance from the Commission's 1,000 mg/l basin-wide Total Dissolved Solids (TDS) effluent limit. Treated effluent will continue to be discharged to Hummler Run at River Mile 183.66—83.5—26.4—1.82 (Delaware River—Lehigh River—Tobyhanna Creek—Hummler) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Coolbaugh Township, Monroe County, PA.

27. *Pocono Waterworks Company, Inc., D-2013-009 CP-1*. An application to approve the applicant's existing 0.021 mgd Pine Grove Estates WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of the Delaware River at River Mile 289.45—1.8 (Delaware River—UNT) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Damascus Township, Wayne County, PA.

28. *Pine Forest Camp, Inc., D-2013-010 CP-1*. An application to approve the applicant's existing 0.025 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Little Bush Kill at River Mile 226.9—0.8—13.5 (Delaware River—Bush Kill—Little Bush Kill) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Lackawaxen Township, Pike County, PA.

29. *Pocono Plateau Christian Association, D-2013-011 CP-1*. An application to approve the applicant's existing 0.015 mgd WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Taylor Creek located above Lake Wallenpaupack, at River Mile 277.7—15.8—30.55—2.25—0.83 (Delaware River—Lackawaxen River—Wallenpaupack Creek—Taylor Creek—UNT) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Barrett Township, Monroe County, PA.

30. *Schuylkill County Municipal Authority, D-2013-012 CP-1*. An application to approve the applicant's existing 0.187 mgd Indian Run WFP and its discharge. Treated effluent will continue to be discharged to the West Branch Schuylkill River at River Mile 92.47—117.75—4.67 (Delaware River—Schuylkill River—West Branch Schuylkill River) by means of Outfall No. 001, in Branch Township, Schuylkill County, PA.

31. *Schuylkill County Municipal Authority, D-2013-013 CP-1*. An application to approve the applicant's existing 0.104 mgd Mt. Laurel WFP and its discharge. Treated effluent will continue to discharge to Mud Run at River Mile 92.47—125.15—4.02—1.40—0.57 (Delaware River—Schuylkill River—Mill Creek—Stony Creek—Mud Run) by means of Outfall No. 001, in New Castle Township, Schuylkill County, PA.

32. *Nestlé Waters North America, Inc., D-2013-020-1*. An application for approval of a GWD of up to 11.652 mgm and discharge of withdrawn water to Greenwalk Creek. The purpose of the project is to intercept and control the migration of groundwater containing elevated concentrations of total dissolved solids from an upgradi-



ent abandoned slate quarry to manage the applicant's existing downgradient water supply sources. Groundwater will not be treated prior to discharge and will have the same dissolved constituents present in groundwater and currently discharging to Greenwalk Creek. The TDS concentration in the groundwater is less than the Commission's effluent concentration limit. The applicant estimates that the GWD and discharge project is expected to last at least 1 year. The project is located in the GWD in Washington Township, Northampton County, PA within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters. The application included a request for emergency approval of the project, which was granted on January 14, 2014.

Be advised that project details commonly change in the course of the Commission's review, which is ongoing.

**Public meeting.** The conference session and business meeting on March 12, 2014, will begin at 12:15 p.m. The conference session will consist of a presentation by a spokesman for the United States Army Corps of Engineers regarding the North Atlantic Coast Comprehensive Study for reducing flood risk to coastal populations and promoting resilient coastal communities. The business meeting will include: adoption of the minutes of the Commission's December 4, 2013, business meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel and consideration of items for which a hearing has been completed or is not required.

There will be no opportunity for additional public comment at the March 12, 2014, business meeting on items for which a hearing was completed on March 11, 2014, or a previous date. Commission consideration on March 12, 2014, of items for which the public hearing is closed may result in either approval of the item (docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

**Advance sign-up for oral comment.** Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission at (609) 883-9500, Ext. 224 or paula.schmitt@drbc.state.nj.us.

**Addresses for written comment.** Written comment on items scheduled for hearing may be delivered by hand at the public hearing or submitted in advance of the hearing date to Commission Secretary, P.O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522 or paula.schmitt@drbc.state.nj.us. If submitted by e-mail in advance of the hearing date, written comments on a docket should also be sent to William J. Muszynski, Manager, Water Resources Management at william.muszynski@drbc.state.nj.us.

**Accommodations for special needs.** Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational

meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

**Updates.** Items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Other meeting items also are subject to change. Check the Commission's web site closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 14-376. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### General Quarantine Order; Chronic Wasting Disease Program Requirements for Herd Certification Program and Herd Monitoring Program

#### *Recitals*

A. Chronic Wasting Disease (CWD) is considered an infectious, progressive and always fatal disease of susceptible species of the genera *Cervus*, *Odocoileus* and *Alces* including elk, white-tailed deer, moose, mule deer, black-tailed deer, sika deer, red deer and hybrids thereof.

B. There is no known treatment for CWD infection, no successful vaccine against this disease and no reliable live animal test for this disease.

C. CWD is believed to be transmissible from infected to uninfected cervids by ingestion of infected or contaminated materials occurring through shared environment or close contact.

D. CWD has been designated a "dangerous transmissible disease" of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (Law) (3 Pa.C.S. §§ 2301—2389), at 3 Pa.C.S. § 2321(d).

E. The Department of Agriculture (Department) has broad authority under the Law to regulate the keeping, transport and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases, such as CWD.

F. The Department also has broad authority under the Law to prohibit the importation of domestic animals, conveyances, containers, goods, products or materials in an effort to keep dangerous transmissible diseases, such as CWD, from entering this Commonwealth.

G. CWD may negatively impact this Commonwealth's wild and domestic (farmed or captive) cervid populations. CWD is of particular concern to the captive/farmed cervid industry, in that presence of CWD infection in a herd has resulted in the destruction of an entire herd and severely limited the market for product within and outside this Commonwealth.

H. In 2012, CWD infection was confirmed in two domestic white-tailed deer on a farm in the Commonwealth. CWD was diagnosed in free ranging deer in the Commonwealth from testing done in association with the

Pennsylvania Game Commission's 2012 hunter harvest program. It has also been detected in cervids in Maryland, New York, Virginia, and West Virginia, and is known to be present in a number of other states and several Canadian provinces.

I. On August 4, 2006, the Department issued a General Quarantine Order addressing the CWD threat. That General Quarantine Order, published at 36 Pa.B. 4612 (August 19, 2006), required persons who own or maintain one or more CWD-susceptible animals to enroll and participate in either the CWD Herd Certification Program or the CWD Herd Monitoring Program.

J. On February 4, 2011, the Department rescinded and supplanted the referenced August 4, 2006 General Quarantine Order to reflect the experience the Department had gained in administering the referenced General Quarantine Order, as well as its current understanding of the threat posed by CWD. That General Quarantine Order, published at 41 Pa.B. 727 modified requirements to the mandatory CWD Herd Certification and the CWD Herd Monitoring Programs to improve disease control procedures in the Commonwealth.

K. On October 19, 2013, the Department published a revised General Quarantine Order, at 43 Pa.B. No. 42, 6218 (October 19, 2013) which rescinded and supplanted the referenced February 4, 2011, General Quarantine Order. The purpose of the October 19, 2013 General Quarantine Order was to harmonize Commonwealth program standards with Federal regulations in 9 CFR Parts 55 and 81 which establish minimum national standards addressing State CWD herd certification programs for interstate cervid commerce and to impose improved disease control and monitoring procedures intended to better contain the spread of CWD in the captive deer population.

L. By this General Quarantine Order, the Department is rescinding and supplanting the referenced October 19, 2013, General Quarantine Order in order to allow the regulated community a time period to understand and come into compliance with the new provisions, to more clearly and effectively establish a date by which the regulated community must come into compliance with the provisions of this General Quarantine Order and to clarify provisions of the October 19, 2013, General Quarantine Order related to specific due dates for annual inventory reports, duty of the program participant to provide such annual reports and aspects of the whole herd inventories required to be done by program participants utilizing Accredited Category II veterinarians. This General Quarantine Order and all of its provisions shall become effective as of August 1, 2014, by which time the regulated community shall be in compliance with all aspects of this General Quarantine Order. By this General Quarantine Order, the Department hereby reinstates the provisions of the February 4, 2011 General Quarantine Order, published at 41 Pa.B. 727 (February 5, 2011), until such time, August 1, 2014, as this General Quarantine Order shall become effective.

#### *Order of General Quarantine*

With the foregoing recitals incorporated into this General Quarantine Order by reference, the Department hereby establishes a General Quarantine under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329(d). The terms of this General Quarantine Order are as follows:

1. *Quarantine Area.* This General Quarantine Order is applicable to the entire Commonwealth of Pennsylvania.
2. *October 19, 2013 and February 4, 2011 General Quarantine Order; Chronic Wasting Disease Program.* The

October 19, 2013 General Quarantine Order; Chronic Wasting Disease Program Requirements for Herd Certification Program and Herd Monitoring Program, published at 43 Pa.B. No. 42 6218 (October 19, 2013) is hereby rescinded and supplanted by this General Quarantine Order. In addition, the February 4, 2011 General Quarantine Order; Chronic Wasting Disease Program, published at 41 Pa.B. 727 (February 5, 2011), is hereby reinstated by this General Quarantine Order, until such date, August 1, 2014, as the provisions and requirements of the Herd Certification Program (established by Section 9. of this General Quarantine Order) and the Herd Monitoring Program (established by Section 10. Of this General Quarantine Order) become effective. All persons or businesses that own or maintain one or more of any of the CWD-susceptible species of the genera *Cervus*, *Odocoileus* or *Alces* including elk, white-tailed deer, moose, mule deer, black-tailed deer, sika deer, red deer or hybrid thereof, in captivity within this Commonwealth shall continue to be required to be enrolled in and follow the requirements of either the CWD Herd Certification Program or the CWD Herd Monitoring Program. Persons, premises and animals that were enrolled in either the CWD Herd Certification Program or the CWD Herd Monitoring Program under authority of the February 4, 2011 General Quarantine Order shall remain enrolled under the authority of that General Quarantine Order until such time as they meet the program enrollment requirements of this General Quarantine Order, as set forth in Sections 3. through 8. herein. All enrolled herds shall be subject to the terms and requirements of this General Quarantine Order upon their effective dates as set forth in Section 14. herein.

#### *3. Election of Program and Compliance.*

a. *Election of Program and Enrollment.* All persons subject to this General Quarantine Order, as set forth in Subsection 4.a. of this General Quarantine Order, shall file a Program Enrollment Form with the Department within the time period established in Subsection 3.b. (related to election of program and compliance). Failure to enroll in the program, file a program enrollment form, file a complete program enrollment form or comply with the enrollment requirements established herein, shall be a violation of this General Quarantine Order and subject the person to such penalties as are authorized under the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.)

b. *Election of program and compliance.* Both currently enrolled and new herds subject to this General Quarantine Order shall file a program enrollment form with the Department within the time periods established below. Program enrollment is open upon publication of this General Quarantine Order in the *Pennsylvania Bulletin*.

i. *Persons Currently Enrolled.* Persons currently enrolled under the Herd Certification or Herd Monitoring Program established under the authority of the February 4, 2011 General Quarantine Order, shall be afforded a time period, until August 1, 2014, to complete the program enrollment process required by this General Quarantine Order and elect a program under this General Quarantine Order. All previously enrolled participants in the 2011 General Quarantine Order shall complete a new program enrollment application, which shall include selection of the program—Herd Certification Program or Herd Monitoring Program—they wish to be enrolled under—and return it to the Department, at the address set forth in Section 6 (related to obtaining a program enrollment form) of this General Quarantine Order by the August 1, 2014 deadline.

A. *Enrollment time period.* Persons currently enrolled under the Herd Certification or Herd Monitoring Program established under the authority of the February 4, 2011 General Quarantine Order may choose to complete the enrollment process required by this General Quarantine Order and elect a program at any time prior to the August 1, 2014 deadline.

B. *Election of program.* Those persons currently enrolled under the CWD Herd Certification Program may elect to continue under the CWD Herd Certification Program established by this General Quarantine Order and be subject to the requirements set forth herein or may downgrade the captive herd and enroll in the Herd Monitoring Program established by this General Quarantine Order and be subject to the requirements set forth herein. Persons may also elect to upgrade from the Herd Monitoring Program to the Herd Certification Program. After enrollment, currently enrolled program participants, electing the voluntary Herd Certification Program may, at the Department's discretion, elect to change the anniversary date for subsequent years to meet the requirements of the Herd Certification Program. Any such request for a change in anniversary date shall be in writing signed by the program participant and mailed to the Department at the address set forth in Section 6 (related to obtaining a program enrollment form) of this General Quarantine Order.

C. *Compliance.* Persons currently enrolled under the Herd Certification or Herd Monitoring Program established under the authority of the February 4, 2011 General Quarantine Order shall have until August 1, 2014 to both elect a level of participation and within which to come into compliance with any new or different requirements imposed by this General Quarantine Order.

ii. *Persons Not Currently Enrolled or New Participants.* All persons not currently enrolled in the Herd Certification or Herd Monitored Program established under the authority of the February 4, 2011 General Quarantine Order which own or maintain one or more of any CWD susceptible species in captivity or new participants which seek to own or maintain one or more of any CWD susceptible species in captivity, shall immediately file a program enrollment form with the Department. Such persons shall be subject to the requirements of the February 4, 2011 General Quarantine Order until such time as the provisions of the Herd Certification Program (established by Section 9. of this General Quarantine Order) and the Herd Monitoring Program (established by Section 10. of this General Quarantine Order) become effective.

#### 4. *Program Enrollment Requirement.*

a. Any person or business that owns or maintains one or more of any of the CWD-susceptible species of the genera *Cervus*, *Odocoileus* or *Alces* including elk, white-tailed deer, moose, mule deer, black-tailed deer, sika deer, red deer or hybrids thereof, in captivity within this Commonwealth shall enroll in one of two programs—CWD Herd Certification Program and CWD Herd Monitoring Program—established under this General Quarantine Order. Enrollment in the CWD Herd Certification Program is not mandatory. A person may choose to voluntarily enroll in the CWD Herd Certification Program and adhere to the more stringent requirements established under that program. A person who does not choose to enroll in the CWD Herd Certification Program, shall be required to enroll in the CWD Herd Monitoring Program.

b. A person required to adhere to the provisions of this General Quarantine Order shall provide the Department

with a completed program enrollment form, as described in Sections 5 through 8 (related to meeting the program enrollment requirement; required adherence to Herd Certification or Herd Monitoring protocols, obtaining a program enrollment form, contents of the program enrollment forms, delivering the program enrollment form) of this General Quarantine Order. The program enrollment form utilized shall be the form developed and approved by the Department. The program enrollment form will be available on the Department's website ([www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)) and will be made available in paper form for those not having internet access. The requirements of this General Quarantine Order are applicable to any type of location or operation at which CWD-susceptible cervids are maintained, including private residences, farms, hunting ranches, zoological displays and menageries. Each separate location, operation and herd will be assigned a state premises identification number which identifies that individual herd's status. The state premises identification number begins with 'PA' and followed by six alphanumeric characters.

c. When multiple program herds reside on the same premises, or where herds owned by the same person reside on more than one premises, a separate Program Enrollment Form shall be required for each program herd on each premises, which shall mean each separate level of Certified Status and each Monitoring herd held in captivity. For example, where one herd of CWD-susceptible species will be enrolled in the CWD Herd Certification Program and another is enrolled in the CWD Herd Monitoring Program, a separate Program Enrollment Form shall be required for each of those herds denoting a different program. Separation between perimeter fences shall be no less than 30 feet for animals on different programs for the same participant or between different participants.

d. Prior to transferring or bringing a CWD-susceptible species onto a premises not currently or not previously enrolled in the CWD program, a person shall submit to an inspection of the premises prior to approval of such premises to hold and maintain a CWD-susceptible species. Such inspection shall be carried out by a PDA official in order to assure the person has proper enclosures and fencing to maintain the CWD-susceptible species so as to prevent ingress and egress of cervids. Failure to submit to such an inspection or the failure to have erected proper enclosures and fencing in a manner that will prevent ingress and egress of cervids may result in any or all of the following actions:

- i. The denial of the addition of a CWD-susceptible species to the premises;
- ii. Criminal or civil penalties as allowed under the Law;
- iii. Equitable relief as allowed under the Law;
- iv. Such other action as allowed under the Law.

5. *Meeting the Program Enrollment Requirement; Required Adherence to Herd Certification or Herd Monitoring Protocols.* Farmed or captive CWD-susceptible cervids present on each premises described in Section 4 (related to program enrollment requirement) shall be enrolled by the cervid owner in either the CWD Herd Certification Program or the CWD Herd Monitoring Program (which are described as follows). A cervid owner who is required to enroll one or more CWD-susceptible cervids under this General Quarantine Order, and who enrolls the animals in either the CWD Herd Certification Program or the CWD Herd Monitoring Program, shall be referred to as a



“program participant” throughout this General Quarantine Order. The program participant shall be responsible to maintain the subject animal or herd in compliance with all of the requirements of the program in which it is enrolled. The Department will promptly mail or deliver program enrollment forms to any person who requests the forms. Enrollment shall be completed by delivering a completed program enrollment form to the Department by any of the means described in Section 8 (related to delivering the program enrollment form).

6. *Obtaining a Program Enrollment Form.* The program enrollment forms described in Section 7 (related to contents of the program enrollment forms) (for either the CWD Herd Certification Program or the CWD Herd Monitoring Program) may be obtained by:

a. Telephoning the Department at (717) 783-5309 and requesting that a form be provided by mail or fax.

b. Mailing or presenting a request to the Department at the following address:

Pennsylvania Department of Agriculture  
ATTN: CWD Program Manager, Animal Health  
2301 North Cameron Street  
Harrisburg, PA 17110-9408

c. Downloading the forms from the Department’s web-site ([www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)).

7. *Contents of the Program Enrollment Forms*

a. *CWD Herd Certification Program.* The program enrollment form for the CWD Herd Certification Program shall require the following information:

i. Mailing address and contact information to include the name, address, telephone number and where applicable, the e-mail address of each person who owns or maintains an ownership interest in the operation or business and in each subject farmed or captive cervid. Where the operation or business is other than a sole proprietorship, the name, title and ownership interest of each person who is part of the business structure or involved in the operation or business shall be set forth, along with the names of any hired managers or authorized agents.

ii. Physical address of premises, which shall be the physical address of the premises on which the captive cervids are located and shall be a street address (P. O. Boxes will not be accepted) at which each subject cervid is maintained in captivity or driving directions to the premises if there is no street address where each subject cervid is maintained.

iii. Structure of the organization or operation, such as, corporation, limited liability corporation, S corporation, partnership, limited partnership, individual/sole proprietor, or other business structure, along with the name of the cervid operation, including any fictitious name (if applicable).

iv. The Cervidae Livestock Operation license number (where applicable).

v. The premises identification number (where one has been assigned).

vi. Number of cervids maintained on the premises, by species.

vii. All official and unofficial identification (as described in Subsection 9.j.) (related to identification of subject animals), sex and date of birth of each subject cervid.

viii. The date of acquisition and source, including contact information (name and complete address, as well as telephone number and where available email address), of each subject cervid that was not born into the herd.

ix. A listing of and the date of birth of any cervid that was born on the premises, as well as, any official or unofficial identification (as described in Subsection 9.j.) (related to identification of subject animals) that was attached to that cervid.

x. The location at which the records required under the Herd Certification Program shall be maintained and made available for inspection by the Department.

b. *CWD Herd Monitoring Program.* The program enrollment form for the CWD Herd Monitoring Program shall require the following information

i. Mailing address and contact information to include the name, address, telephone number and where applicable, the e-mail address of each person who owns or maintains an ownership interest in the operation or business and in each subject farmed or captive cervid. Where the operation or business is other than a sole proprietorship, the name, title and ownership interest of each person who is part of the business structure or involved in the operation or business shall be set forth, along with the names of any hired managers.

ii. Physical address of premises, which shall be the physical address of the premises on which the captive cervids are located and shall be a street address (P. O. Boxes will not be accepted) at which each subject cervid is maintained in captivity or driving directions to the premises if there is no street address where each subject cervid is maintained.

iii. Structure of the organization or operation, such as, corporation, limited liability corporation, S corporation, partnership, limited partnership, individual/sole proprietor, or other business structure, along with the name of the cervid operation, including any fictitious name (if applicable).

iv. The Cervidae Livestock Operation license number (where applicable).

v. The premises identification number (where one has been assigned).

vi. The number of each species of farmed or captive CWD-susceptible cervid on the premises. An estimate may be provided if the exact number cannot be determined.

vii. The date of acquisition and source of each subject cervid, including contact information (name and complete address, as well as telephone number and where available email address), including any form of identification on the subject cervid, that was not born into the herd.

viii. The location at which the records required under the Herd Monitoring Program shall be maintained and made available for inspection by the Department.

8. *Delivering the Program Enrollment Form.* A person required to file a program enrollment form under this General Quarantine Order shall deliver the completed signed form to the Department by faxing it to (717) 787-1868, or mailing or delivering it to the address set forth in Subsection 6.b. (related to obtaining a program enrollment form). Any changes to the information required by Subsection 7.a.i., ii., iii., iv., v. and x. or Subsection 7.b.i., ii., iii., iv., v. and viii. (related to

contents of the program enrollment forms) shall be reported to the Department, in writing, within 30 days of such change occurring.

9. *CWD Herd Certification Program.*

a. *Program established.* The Chronic Wasting Disease Herd Certification Program (Herd Certification Program), as established by the August 19, 2006, General Quarantine Order; Chronic Wasting Disease Program, published at 36 Pa.B. 4612 (August 19, 2006) and amended by the February 4, 2011, General Quarantine Order; Chronic Wasting Disease Program, published at 41 Pa.B. 727 (February 5, 2011) and the October 19, 2013, General Quarantine Order; Chronic Wasting Disease Program Requirements for Herd Certification Program and Herd Monitoring Program, published at 43 Pa.B. 6218 (October 19, 2013) is hereby continued and modified by this General Quarantine Order in the manner established herein.

b. *Voluntary Program.* Enrollment in the CWD Herd Certification Program is purely voluntary for those with CWD susceptible species. The CWD Herd Certification Program establishes criteria which are more stringent than those required by the mandatory CWD Herd Monitoring Program. A participant voluntarily enrolling in the CWD Herd Certification Program shall be required to meet all of the criteria established thereunder or the Department, at its sole discretion, may:

i. Reduce or roll-back the program participant's "Herd Status" to a previous year or to "First Year Status"; or

ii. Remove the program participant from the CWD Herd Certification Program and place the program participant in the CWD Herd Monitoring Program.

c. *Status of Herd.* The Herd Certification Program is a 5-year process by which a herd of farmed or captive CWD-susceptible cervids may achieve "Fully Certified Status." The Department shall record the date of enrollment of a particular herd of farmed or captive CWD-susceptible cervids in the Herd Certification Program. The status of that enrolled herd shall be determined in the following manner:

i. *First Year "HC-1" Status.* A designation of "HC-1" shall be assigned to a herd of cervids enrolled in the Herd Certification Program for the first twelve (12) months from the date of enrollment of that herd of cervids in the Herd Certification Program. Only those cervids listed on the program participant's enrollment form and which have been verified through inspection, as set forth in Subsection 9.o. (related to department inspections) or a whole herd visual or hands-on inventory verification as set forth in Subsection 9.n. (related to whole herd visual or hands-on inventory verification) of this General Quarantine Order to bear the approved forms of identification shall be assigned a "HC-1" status. Failure to maintain compliance with all of the provisions of the Herd Certification Program may result in removal of the herd from the voluntary Herd Certification Program and placement into the mandatory Herd Monitoring Program, the imposition of civil or criminal penalties as allowed under Section 2383 of the Domestic Animal Law (3 Pa.C.S.A. § 2383) or any other equitable action established thereunder or any combination thereof.

ii. *Subsequent Year Status.* On the anniversary date of enrollment in each year following that date of initial enrollment the status of the program participant's herd may be upgraded by one year. The upgrade shall only occur if the program participant has maintained compliance and is currently in compliance with all of the

requirements of the Herd Certification Program and the General Quarantine Order. The status of each subsequent twelve month period from the program participant's anniversary date, until reaching "Fully Certified" status, shall be designated as follows:

A. For months 13-24 the designation of "HC-2" shall be assigned to a herd that has maintained compliance with all of the requirements of the Herd Certification Program and the General Quarantine Order.

B. For months 25-36 the designation of "HC-3" shall be assigned to a herd that has maintained compliance with all of the requirements of the Herd Certification Program and the General Quarantine Order.

C. For months 37-48 the designation of "HC-4" shall be assigned to a herd that has maintained compliance with all of the requirements of the Herd Certification Program and the General Quarantine Order.

D. For the months 49-60 the designation of "HC-5" shall be assigned to a herd that has maintained compliance with all of the requirements of the Herd Certification Program and the General Quarantine Order.

E. Upon reaching 60 months from the initial anniversary date of the program participant, the designation of "Fully Certified" shall be assigned to a herd that has maintained compliance with all of the requirements of the Herd Certification Program and the General Quarantine Order.

iii. *Fully Certified Status.* On the anniversary date of the fifth year after the initial anniversary date (that is, after 5 consecutive years of program participation and compliance have been completed), the status of the program participant's herd may be upgraded to "Fully Certified." The upgrade shall only occur if the program participant is in compliance with and has remained in compliance with all of the requirements of the CWD Herd Certification Program and the General Quarantine Order. The subject herd shall be classified as "Fully Certified" so long as the herd remains CWD-free and continues to maintain compliance with all provisions of the Herd Certification Program and this General Quarantine Order.

iv. *Previously Enrolled Herds.* The status of herds enrolled in the CWD Herd Certification Program under the February 4, 2011 Order of General Quarantine which are in compliance with that Order as of the effective date of this General Quarantine Order will maintain their existing certification status under this Order of General Quarantine if they elect to enroll in and agree to comply with the provisions of the CWD Herd Certification Program established under this Order of General Quarantine. If the program participant elects to withdraw his herd from the CWD Herd Certification Program, he shall enroll the herd in the CWD Herd Monitoring Program. Thereafter, any subsequent enrollment of the herd in the CWD Herd Certification Program shall result in the herd being assigned "First Year Status" and the 5-year process required to attain "Fully Certified" status shall begin again.

v. *New herd assembled from current Herd Certification Program participants.* If the herd is composed solely of animals obtained from herds already enrolled in the Program, the newly assembled herd will have the same status as the lowest status of any herd that provided animals for the new herd.

d. *Duty to Report Suspects and Dead Cervids and Dead Cervids found in an advanced state of decomposition.* The



program participant, the owner of a herd of farmed or captive CWD-susceptible cervids and any caretaker of that herd shall report any suspect cervid, dead cervid or dead cervid found in an advanced state of decomposition as set forth herein. Failure to comply with any of the provisions of this subsection including, failure to report a suspect cervid, the death of a cervid within the time periods set forth herein or the discarding, removal or disposal of carcasses, parts, offal or tissues in a manner which is inconsistent with the provisions of this subsection or without the required verifications shall constitute a violation of this General Quarantine Order.

i. **Suspect Cervid**—Any cervid that shows signs that are consistent with CWD (such as staggering, drooling, wasting or unusual behavior) shall be immediately reported to the designated regional office of the Bureau of Animal Health in the Pennsylvania Department of Agriculture. The suspect cervid shall not be removed from the premises of the program participant until such time as the Department has been able to assess the animal and issue an order or guidance with regard to the holding, harvesting, testing and removal of such animal. Failure to immediately report a suspect cervid or abide by the removal provisions of this section shall constitute a violation of this General Quarantine Order.

ii. **Dead cervid**—Upon the discovery of any dead farmed or captive CWD-susceptible cervid aged 12 months or older, the program participant, owner or caretaker shall take the following steps and comport with the following protocols:

A. Record the death and include the animal as part of the Ongoing Annual Recordkeeping Requirements, established by Subsection 9.k. of this Order of General Quarantine.

B. Record the death and include the animal as part of the Ongoing Movement of Cervids Recordkeeping and Reporting Requirements, established by Subsection 9.l. of this Order of General Quarantine. Such information shall be reported within ten (10) business days of discovery of the death, on forms developed, approved and provided by the Department and shall set forth that information required by subparagraph 9.l.ix. of this Order of General Quarantine.

C. Have the dead cervid tested. The entire carcass, head or tissue samples from the carcass shall be transported for testing in accordance with the requirements of Subsections 9.f. or 9.g. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects, and testing protocol for other farmed or captive CWD-susceptible cervids), as applicable, of this General Quarantine Order.

iii. **Dead cervid found in an advanced state of decomposition**—Upon the discovery of any dead farmed or captive CWD-susceptible cervid aged 12 months or older, in an advanced state of decomposition, the program participant, owner or caretaker shall report this death to the designated regional office of the Department within 48 hours. The program participant, owner or caretaker shall take the following steps and comport with the following protocols:

A. The dead cervid, including all parts and offal, shall not be removed from the premises of the program participant, except that the entire carcass or head of the carcass may be transported for testing as set forth in Subsection 9.f.i. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) of this General Quarantine Order or tissue samples may be

collected and sent for testing as set forth at Subsection 9.f.ii. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) of this General Quarantine Order.

B. Where only the head or tissue samples are sent for testing, the carcass, parts and offal of the dead cervid shall not be removed from the premises of the program participant until test results have been received or a determination made that the carcass is untestable and shall only be disposed of in a manner approved by and set forth in writing by the Department.

C. Dead cervid carcasses considered to be untestable by the program participant or owner shall be verified as such by a Department or a USDA, APHIS representative prior to removal or disposal of such carcass, parts and offal. The Department or USDA, APHIS representative may determine that the entire carcass shall be collected and moved directly to a laboratory for collection and potential testing.

iv. *Failure to abide by the requirements of this Subsection d.* (related to duty to report suspects and dead cervids and dead cervids found in an advanced state of decomposition) shall be a violation of this General Quarantine Order and may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386) and the reduction of Herd Certification Program status or cancellation of program enrollment and placement in the mandatory Herd Monitoring Program.

e. *Mandatory Testing.* A program participant with a herd that is enrolled in the Herd Certification Program shall be responsible to ensure that a farmed or captive CWD-susceptible cervid is tested in accordance with Subsection 9.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) or 9.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids), as applicable, if any of the following occur after the date of enrollment in the Herd Certification Program:

i. The cervid shows signs (such as staggering, drooling, wasting or unusual behavior) that are consistent with CWD and the cervid dies or is killed.

ii. The cervid is 12 months of age or older and is sent to a slaughter facility.

iii. The cervid is 12 months of age or older and dies for any reason (including accident, natural causes, slaughter, harvesting, hunting, culling or any other cause).

f. *Mandatory Testing for Farmed or Captive CWD-Susceptible Cervids designated as CWD Suspects.* If a dead farmed or captive CWD-susceptible cervid is required to be tested because it showed signs (such as staggering, drooling, wasting or unusual behavior) that are consistent with CWD before it died or was killed, as described in Subsection 9.e.i. (related to mandatory testing), it shall be tested according to either of the following procedures:

i. A person shall immediately notify the Department of the dead CWD-susceptible cervid and do the following:

A. Collect either the entire carcass of the cervid or the entire head of the cervid with official identification devices attached in situ.

B. Deliver the carcass or head with official identification devices attached in situ for CWD testing. The properly completed chain of custody forms and sample submission forms required under Subsection 9.i. (related

to chain of custody of samples; submission of samples) of this General Quarantine Order shall accompany the carcass or head. The carcass or head shall bear a proper form of identification and be delivered within 72 hours of the cervid's death to either a Department laboratory or to a laboratory that has been approved in advance by the Department or USDA or both, to perform CWD testing. Results of samples submitted without the proper and required official identification or the properly completed chain of custody forms and sample submission forms may not be recognized by the Department in determining herd certification status and shall be considered a violation of this General Quarantine Order. Any such violation may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386) as well as the reduction of Herd Certification Program status or cancellation of program enrollment and placement in the mandatory Herd Monitoring Program.

ii. As an alternative to the CWD testing procedure described in paragraph (i), the following procedure shall be followed:

A. Tissue samples shall be collected by one of the following:

I. A USDA, APHIS Category II accredited practitioner of veterinary medicine.

II. An authorized State official. A Department-certified CWD Sampling Technician does not meet the requirements of this subparagraph.

III. An authorized Federal official.

B. Tissue samples shall be collected and preserved within 72 hours of the cervid's death.

C. Tissues samples shall consist of the obex and the medial retropharyngeal lymph nodes preserved in formalin; and in a separate container that does not contain formalin or any other preservative, a small portion of the ear or other skin that is attached to the official identification of the subject cervid.

D. The tissue samples shall be delivered within 72 hours of the cervid's death to the Pennsylvania Veterinary Laboratory or to a laboratory that has been approved in advance by the Department or USDA or both, for CWD testing. It is the owner's responsibility to report the death within a time frame that allows for collection and preservation of the tissue samples within 72 hours of the cervid's death as required by Subsection B. above and protect the carcass from further degradation until tissue samples can be collected.

E. Properly completed chain of custody forms and sample submission forms as required under Subsection 9.i. (related to chain of custody of samples; submission of samples) of this General Quarantine Order shall accompany the tissue samples.

*g. Testing Protocol for Other Farmed or Captive CWD-Susceptible Cervids.* If a farmed or captive CWD-susceptible cervid does not exhibit signs (as described in Subsection 9.d.i. (related to duty to report suspects and dead cervids and dead cervids found in an advanced state of decomposition)) that are consistent with CWD, and is required to be tested because it is 12 months of age or older and was either sent to a slaughter facility or died for any reason, as described in Subsections 9.e.ii. and 9.e.iii. (related to mandatory testing), the Department shall be notified by the program participant, who shall send the Department records setting forth the official identification of each farmed or captive CWD-susceptible

cervid that was sent to slaughter or died for any reason set forth in Subsection 9.e.ii. and 9.e.iii. (related to mandatory testing), along with the name and address of the slaughter facility where each animal was slaughtered or the name and address of the place where the animal died or was harvested and the cause of death. In such cases, each farmed or captive CWD-susceptible cervid shall be tested according to the following procedures:

i. Tissue samples shall be collected by one of the following:

A. A USDA, APHIS Category II accredited practitioner of veterinary medicine.

B. An authorized State official.

C. An authorized Federal official.

D. A Department-certified CWD Sampling Technician.

ii. Tissue samples shall be collected and preserved within 72 hours of the cervid's death.

iii. Tissues samples shall consist of the obex and the medial retropharyngeal lymph nodes preserved in formalin; and in a separate container that does not contain formalin or any other preservative, a small portion of the ear or other skin that is attached to the official identification of the subject cervid.

iv. Properly completed chain of custody forms and sample submission forms as required under Subsection 9.i. (related to chain of custody of samples; submission of samples) of this General Quarantine Order shall accompany the tissue samples.

v. The tissue samples shall, within 30 days of collection, be delivered to the Pennsylvania Veterinary Laboratory or to a laboratory that has been approved in advance by the Department or USDA, or both, to perform CWD testing.

vi. As an alternative to the testing protocol described in paragraphs i, ii, iii, iv and v of this Subsection 9.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids), the following protocols shall be followed:

A. Within 72 hours of the cervid's death, collect and deliver either the entire carcass of the cervid with official identification devices attached in situ or the entire head of the cervid with official identification devices attached in situ to a Department laboratory for CWD testing, or to a laboratory that has been approved in advance by the Department or USDA or both to perform CWD testing.

B. The program participant/herd owner shall be responsible for properly identifying the cervid carcass or head and delivering it in a manner that does not destroy or make the animal untestable.

C. The person who delivers the carcass or head need not be an approved tissue collector as described in Subsection 9.g.i. (related to testing protocol for other farmed or captive CWD-susceptible cervids).

D. The name, address and signature of the person collecting, or the person in possession of the carcass, and the person delivering the carcass or head shall be set forth in writing and such writing shall be attached to the chain of custody forms and sample submission forms required by this General Quarantine Order.

E. The properly completed chain of custody forms and sample submission forms required under Subsection 9.i. (related to chain of custody of samples; submission of samples) of this General Quarantine Order shall accompany the carcass or head.

F. Results of samples submitted without the proper and required official identification or the properly completed chain of custody forms and sample submission forms may not be recognized by the Department in determining herd certification status and shall be considered a violation of this General Quarantine Order. Any such violation may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386), as well as the reduction of Herd Certification Program status or cancellation of program enrollment and placement in the mandatory Herd Monitoring Program.

*h. Impact of Late Notice, Delivery or Untestable Samples on Enrollment Status.*

i. It is the program participant/herd owner's responsibility to assure good quality tissue is submitted for testing and ensure that all required samples are collected properly and in a timely manner as required by Subsections 9.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) and 9.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids) of this General Quarantine Order. All required tissues shall be collected regardless of sample condition (e.g. autolyzed or frozen). In cases where sample quality is poor, the Department shall be notified and a determination made on samples to be submitted.

ii. Failure to abide by the requirements of this section shall be a violation of this General Quarantine Order and may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386) and the reduction of Herd Certification Program status or cancellation of program enrollment and placement in the mandatory Herd Monitoring Program. Where the history of sample collections and submissions from the program participant/herd owner demonstrates a pattern of lack of submission of required samples, untimely submission of samples or poor performance including incorrect tissues submitted, poor tissue quality, or non-compliance with the provisions and requirements of Subsections 9.e. (related to mandatory testing), 9.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) and 9.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids) of this General Quarantine Order, the Department may seek such additional remedies, including injunctive relief as is allowed under the Domestic Animal Law. Adherence to the 72-hour deadlines established in Subsections 9.f.i.B, f.ii.B, f.ii.D. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) and g.ii. and g.vi.A. (related to testing protocol for other farmed or captive CWD-susceptible cervids) will be considered a mitigating factor by the Department in any reevaluation of herd status.

*i. Chain of Custody of Samples; Submission of Samples.* A person may obtain chain of custody forms and sample submission forms from the Department by submitting a written request for such forms or by downloading the forms from the Department's website ([www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)).

i. A person submitting a sample (whether tissue samples, an entire carcass or an entire head) for testing under the Herd Certification Program shall complete a chain of custody form and a sample submission form, and shall submit those forms along with the sample that is delivered for testing.

ii. The chain of custody form shall clearly identify the premises, including the address of the premises and the name and signature of the herd owner, on which the cervid resided and from which it was taken, official identification of the cervid, the date of sampling, and the persons (in chronological order) who handled the sample from the point it was taken until it is delivered to the Pennsylvania Veterinary Laboratory or a Department-approved laboratory or a USDA-approved laboratory for CWD testing.

iii. The chain of custody form shall bear the signature, printed name and other identifying information with respect to each person who handles the sample.

iv. The completed chain of custody form and the sample submission form shall be provided to a responsible person at the laboratory to which the sample is delivered.

*j. Identification of Subject Animals.* Each farmed or captive CWD-susceptible cervid that is within a herd enrolled in the Herd Certification Program and is either 12 months of age or older or is transported alive from the enrolled premises regardless of its age at the time of movement shall have at least two forms of the Department and USDA, APHIS-approved animal identification attached. One form of identification shall be official. In accordance with 9 CFR Parts 71, 77, 78, and 86 "Traceability for Livestock Moving Interstate," official identification shall not be removed from animals. If the other form of identification is not official, it shall be unique to the animal on the enrolled premises. Other forms of secondary identification in addition to being unique to the animal in the herd, must be permanent and tamper-resistant. If duplicate (non-unique to the animal in the herd) secondary identification occurs, that duplication shall be resolved, corrected in the inventory paperwork, and promptly reported to the Department. Forms of identification that are Department-approved and USDA, APHIS-approved, "official" forms of identification for purposes of this provision include the following:

i. A legible and unique tattoo approved by the Department and USDA, APHIS.

ii. A USDA, APHIS-issued ear tag, bearing a unique number provided by USDA, APHIS that utilizes one of the following numbering systems:

A. The National Uniform Eartagging System (NUES).

B. The Animal Identification Number (AIN) bearing 15 digits starting with '840.'

C. The premises-based numbering system using a Premises Identification Number (PIN) in conjunction with a livestock production numbering system.

D. Any other numbering system approved by USDA, APHIS and the state veterinarian.

iii. An electronic implant device, such as a microchip that utilizes a nationally unique 15 digit animal identification number starting with '840' provided an appropriate reader is immediately available wherever the animal is located.

iv. Any other identification device approved by the Department and USDA, APHIS.

*k. Ongoing Annual Recordkeeping Requirements.* A program participant with a herd that is enrolled in the Herd Certification Program shall maintain up-to-date herd inventory records with respect to the subject herd for a period of 5 years and shall make these records available for inspection by the Department upon request. The original record forms, once completed are to be submitted



by the last day of the month comprising the program participant's anniversary date to the Department's headquarters in Harrisburg by mail, attached to an email or faxed. The participant must keep copies of all the submitted forms if the original forms have been submitted by mail or keep the original completed forms, when records are submitted electronically, for a period of 5 years and make them available upon request by Department officials. If the Department identifies discrepancies with the submitted records, a complete set of these records forms and incomplete forms shall be returned to the program participant with a deadline for completion. Each year the program participant shall provide a current, updated annual inventory report to the Department. The anniversary date for each current certified herd program participant shall remain the same as under the previous quarantine order, unless the program participant submits a request in writing to the Department to change the anniversary date. New certified herd program participant's anniversary dates shall be determined by the date of their initial enrollment in the program. Any anniversary date change will be at the Department's discretion. The annual inventory reports shall be kept and filed on forms developed, approved and provided by the Department. Such forms will be made available on the Department's website ([www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)) and will be available in paper form for those program participants that do not have internet access. The program participant shall be required to complete all fields on the recordkeeping forms. These records shall include the following information with respect to each subject cervid:

i. Official identification placed, as previously described in Subsection 9.j. (related to identification of subject animals) for each cervid in the enrolled herd.

ii. Either the second official identification in accordance with 9 CFR Parts 71, 77, 78, and 86 "Traceability for Livestock Moving Interstate" or the unofficial identification that is unique to the animal on the enrolled premises, as previously described in Subsection 9.j. (related to identification of subject animals).

iii. The sex, date of birth and species of the subject cervid.

iv. The date of departure and the destination, of any subject cervid removed from the herd since the last anniversary date. Such records shall include all of the following information:

A. The contact information (name, complete address, telephone number and when available, email address) of the person to whom the cervid was sold, lent, leased, consigned, exchanged, bartered, gifted, boarded, moved including for breeding purposes, given, harvested or otherwise transferred.

B. The contact information (name, complete address, telephone number and where applicable, Pennsylvania Dealer/Hauler or Cervidae Livestock Operations license number or both where both types of licenses are held) of any dealer, hauler or broker or Pennsylvania cervid livestock operation utilized in such transaction. The license expiration date shall also be included.

C. The date of death and cause of death (if known) of any subject cervid that dies and the CWD test result for that animal.

v. If the subject cervid is new to the herd since the anniversary date designation of whether the subject was born to the herd or acquired from outside the herd. Those animals born to the herd, less than 12 months of age, and without any identification shall be counted and listed by

number and gender. For example, four buck fawns and three doe fawns born in 2014. If the subject cervid was acquired from outside the herd the following information shall be provided:

A. The source of the subject cervid including contact information (name, complete address, telephone number, and when available, email address) of the source herd.

B. The date of acquisition.

C. Where a Pennsylvania dealer, hauler, or broker or a Pennsylvania cervid livestock operation was involved in the transaction, the name, complete address, telephone number and Pennsylvania Dealer/Hauler or Cervidae Livestock Operations license number or both where both types of licenses are held of such dealer, hauler, broker or Pennsylvania cervid livestock operation. The license expiration date shall also be included.

1. *Ongoing Movement of Cervids Recordkeeping and Reporting Requirements.* A program participant shall report any and all movements of CWD susceptible species of cervids onto and off of the premises (i.e. additions and deletions to the herd). Such reports shall:

i. Be filed on an ongoing basis with the Department and shall be filed within ten (10) business days of the movement of a CWD susceptible species of cervid onto or off of the program participant's premises.

ii. Be on forms developed, approved and provided by the Department.

iii. Be complete and shall contain all of the information requested by the Department.

iv. Set forth the type of transaction, which included sold, lent, leased, consigned, exchanged, bartered, gifted, boarded, moved including for breeding purposes, given, harvested or otherwise transferred and whether such transaction transferred ownership or mere possession of the cervid(s).

v. Set forth the reasons for the movement, including to a slaughter facility; movement to or from another Pennsylvania program participant, movement to or from a separately enrolled premises of the same Pennsylvania program participant; movement to or from an out of state person or any other reason for movement of the cervid(s) on to or off of the program participant's property.

vi. With regard to both the premises of origin and the premises of destination, include, at a minimum, the following information:

A. The program participant's name and mailing address, which shall match that which was provided on the program participant's enrollment forms.

B. The fictitious name (if applicable) of the program participant's cervid businesses, which shall match those which were provided on the program participant's enrollment forms.

C. The Pennsylvania premises identification number of the program participant's property (where applicable), which shall match that which was provided on the program participant's enrollment forms.

D. The address and physical location of the property to which the CWD susceptible species of cervid(s) were added and the address and physical location of the property from which the CWD susceptible species were deleted. Post office box addresses shall not be acceptable. Where the property is that of a Pennsylvania program participant, the Pennsylvania premises identification number shall be set forth.

E. Where the premises of origin or premises of destination is out of state, the name, address of the person and entity from which the cervid(s) was purchased or acquired or to which the cervid was sold or transferred; a copy of the certificate of veterinary inspection (CVI) accompanying each cervid; and a copy of the bill of sale or purchase; and the bill of lading. The address of the person from which the cervid(s) was purchased or acquired or to which the cervid was sold or transferred shall be a physical address and a post office box address shall not be acceptable.

F. Where the premises of destination is a slaughter facility, the name and address of the slaughter facility shall be set forth and a copy of the bill of sale and bill of lading shall be attached.

vii. Where a dealer, broker or hauler was utilized, include the name, address and contact information of the broker, hauler and dealer. Where such dealer, hauler or broker was a Pennsylvania dealer, hauler or broker, the Pennsylvania Dealer/Hauler license number and license expiration date shall be set forth. The address shall be a physical address and a post office box address shall not be acceptable

viii. The address and property owners name of any premises, other than the final premises of destination, to which the CWD susceptible species of deer were shipped or on which they were housed, held or stopped-over prior to reaching the final premises of destination. The address shall be a physical address and a post office box address shall not be acceptable.

ix. For each cervid include the following information:

A. The official identification of each subject animal meeting the requirements of Subsection 9.j. (related to identification of subject animals) of this General Quarantine Order.

B. Either the second official identification in accordance with 9 CFR Parts 71, 77, 78, and 86 "Traceability for Livestock Moving Interstate" or the unofficial identification that is unique to the animal on the enrolled premises, as previously described in Subsection 9.j. (related to identification of subject animals) of this General Quarantine Order.

C. The sex, date of birth and species of the subject cervid.

D. The date of departure from the premises of origin of each cervid and the date of arrival at the final premises destination of each cervid. Locations where the cervid(s) were transferred, off loaded, held or otherwise stopped over at a destination that was not the final premises destination, the date of arrival and date of departure of each cervid from that destination.

x. For each cervid or herd of cervids moved, the herd certification status, as set forth in Subsection 9.c. (related to status of herd), of each cervid herd, from which each cervid was purchased, to which each cervid was shipped and the herd certification status of any person, entity or herd at which the cervid or herd of cervids was stopped-over or unloaded. Such information shall include the information for each person or entity as is required by paragraphs vi., vii. and viii. of this Subsection 9.I. (related to ongoing movement of cervids recordkeeping and reporting requirements) of this General Quarantine Order.

A. Where the cervid herd or individual cervid is not from a certified herd, the appropriate status, such as monitored, shall still be set forth. Such information shall include the information for each person or entity as is

required by paragraphs vi., vii. and viii. of this Subsection 9.I. (related to ongoing movement of cervids recordkeeping and reporting requirements) of this General Quarantine Order.

B. Where the cervid herd or individual cervid is from an out-of-state herd the certification status assigned to the cervid(s) by the state of origin shall be set forth. Such information shall include the information for each person or entity as is required by paragraphs vi., vii. and viii. of this Subsection 9.I. (related to ongoing movement of cervids recordkeeping and reporting requirements) of this General Quarantine Order.

m. *Ongoing Reporting Requirement regarding Theft or Escape of CWD-Susceptible Cervids from an Enrolled Herd or Wild CWD-Susceptible Cervids entering an Enrolled Herd.*

i. Theft or escape—A program participant shall report to the designated Department's regional office within 48 hours the removal of any farmed or captive CWD-susceptible cervid from the enrolled herd through theft or escape. The program participant shall file a signed, written report of theft or escape of a cervid with the designated Department's regional office within ten (10) business days of the theft or escape either by mail, fax or email. The signed written report shall set forth the date of such theft or escape, the cause of such escape or perpetrator of such theft if known, a copy of the police report if theft was involved and shall clearly identify each cervid, including setting forth the official identification of each cervid, that escaped or was stolen.

ii. Breach by a wild CWD susceptible cervid—A program participant shall report to the designated regional office within 48 hours if a wild CWD-susceptible cervid or any other CWD-susceptible cervid gains entrance into the enrolled herd. The program participant shall file a signed, written report with the designated Department's regional office within ten (10) business days of the incident. Such report shall be filed either by mail, fax, or email. The signed written report shall set forth the date on which the wild CWD-susceptible cervid or any other CWD-susceptible cervid gained entrance and any action taken by the program participant, including the date on which the wild CWD susceptible cervid or any other CWD-susceptible cervid was removed from the enclosure, the method of removal, the cause of incident, such as a break in the fence or a gate left open and any action taken to prevent the ingress of wild CWD susceptible cervids or any other CWD-susceptible cervid from occurring again.

iii. Exception—This reporting requirement is not applicable to additions to a herd as described in Subsection 9.q. (related to additions to the herd).

iv. Failure to report—Failure to report theft, escapes, or ingress of wild cervids within prescribed deadlines shall be a violation of this General Quarantine Order and may result in imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386) and loss of program enrollment and placement in the Herd Monitoring Program.

n. *Whole herd visual or hands-on inventory verification.* Whole herd inventories, either on a yearly basis (visual inventory) or every three years (hands-on inventory) as set forth specifically below, shall be required and shall be carried out by an Accredited Category II Veterinarian, at the program participant's expense.

i. Whole herd inventories shall be done by either visual or hands-on verification, as set forth in paragraphs iii.



and iv. of this Subsection 9.n. (related to whole herd visual or hands-on inventory verification). Whole herd inventories shall be reported on forms provided by the Department. It shall be the responsibility of the program participant to ensure all such forms are properly completed, signed, and mailed to the Department by the due date established in this General Quarantine Order.

ii. Whole herd inventories shall be required for all certified herd program participants. Whole herd inventories shall be conducted and performed by Accredited Category II veterinarians as set forth in paragraphs iii, iv and v. of this Subsection 9.n. (related to whole herd visual or hands-on inventory verification). Herd Certification Program participants shall have either a whole herd visual herd inventory performed each year, as set forth in paragraph iv. (related to whole herd visual herd inventory verification) of this Subsection 9.n. or a whole herd hands-on inventory verification performed every three years, as set forth in paragraph v. (related to whole herd hands-on inventory verification) of this Subsection 9.n..

iii. Inventory verification required. A visual or hands-on herd inventory by an Accredited Category II veterinarian shall be required for new program participants by the last day of the month comprising the program participant's anniversary date as selected by the new program participant, at the discretion of the Department. Current Herd Certification Program participants shall be required to have a visual or hands-on herd inventory completed by an Accredited Category II veterinarian by the last day of the month comprising the program participant's anniversary date as selected by the owner/program participant. In all cases the owner/program participant shall be responsible for assembling, handling, and restraining the animals and for all costs incurred to complete the visual or hands-on herd inventory. The owner/program participant shall be responsible for resolving any herd inventory discrepancies within a timeframe acceptable to USDA, APHIS, VS and the Department.

iv. Whole herd visual herd inventory verification. Herd inventories shall be visually verified at least every 12 months and shall be due to the Department by the last day of the month comprising the program participant's anniversary date. The whole herd visual herd inventory report shall be sent to the Department's headquarters in Harrisburg, Pennsylvania and may be sent via mail, email or fax. However, additional inventory verifications may be performed at the discretion of the Department. Accredited Category II veterinarians are approved to and shall be utilized to perform annual visual herd inventory verification. Those animals 12 months of age and older shall be bearing approved animal identification ear tags meeting the criteria of Subsection 9.j. (related to identification of subject animals) of this General Quarantine Order of which, at least, one form is visible and legible from a distance, within a pen or other suitable enclosure.

A. Where visual verification of the entire herd inventory is not possible, such as where an animal is not bearing a form of approved animal identification that can be visually inspected, the unidentified animal or animals shall be individually restrained for examination or a hands-on inventory of the entire herd shall be conducted. This process shall be completed in a timeframe acceptable to the Department or USDA APHIS.

B. The owner/program participant shall be responsible for assembling or restraining the herd in a manner that will allow the Accredited Category II veterinarian conducting the inventory to confirm the identification of each

animal through inspection of one of the two forms of the Department and USDA, APHIS-approved animal identification meeting the criteria established by Subsection 9.j. (related to identification of subject animals) of this General Quarantine Order. A Department or USDA APHIS employee or agent shall have the authority to require the owner/program participant to assemble and restrain the herd for purposes of inventory verification or other compliance issues.

C. A hands-on inventory may require physical restraint of individual animals in chutes or chemical restraint methods which shall be done by and provided by the owner/program participant.

D. Those animals less than 12 months of age, without any identification shall be counted and listed by number and gender. For example, four buck fawns and three doe fawns born in 2014.

v. Whole herd hands-on inventory verification. A whole herd hands-on inventory verification for all Herd Certification Program participants who do not participate in the whole herd annual visual inventory verification option shall be required and performed at no greater than three year intervals, by the last day of the month comprising the program participant's anniversary date, by a USDA APHIS Category II accredited veterinarian. Such inventory verification reports shall be due to the Department by the last day of the month comprising the program participant's anniversary date in the year in which the hands-on inventory is performed. The whole herd hands-on inventory report shall be sent to the Department's headquarters in Harrisburg, Pennsylvania and may be sent via mail, email or fax. The owner or participant may elect to change the anniversary date for the Herd Certification Program, at the Department's discretion.

A. The owner/program participant shall be responsible for assembling and restraining all the animals in a manner that will allow the Accredited Category II veterinarian conducting the inventory to confirm the identification of such animal through inspection of all forms of the Department and USDA, APHIS-approved animal identification meeting the criteria established by Subsection 9.j. (related to identification of subject animals) of this General Quarantine Order of those animals 12 months of age and older. A Department or USDA APHIS employee or agent shall have the authority to require the owner/program participant to assemble and restrain all animals in the herd for purposes of inventory verification or other compliance issues.

B. Those animals less than 12 months of age, without any identification shall be counted and listed by number and gender. For example, four buck fawns and three doe fawns born in 2014.

C. A hands-on inventory may require physical restraint of individual animals in chutes or chemical restraint methods which shall be done by and provided by the owner/program participant.

vi. Reconciliation of herd inventory. All herd inventories verified through either visual or hands-on verification during inventories conducted by a USDA APHIS Category II accredited veterinarian shall be reconciled with written inventories, including respective official identification, required to be kept by the owner/program participant under Subsections 9.k. (related to ongoing annual recordkeeping requirements) and 9.l. (related to ongoing movement of cervids recordkeeping and reporting requirements) of this General Quarantine Order.

A. The reconciliation of herd inventories done through visual or hands-on verification and the owner/program participant's required written inventory records and reports shall be the duty of the owner/program participant.

B. A discrepancy in herd inventories done through visual or hands-on verification and the owner/program participant's written inventory records and reports shall be prima facie evidence of a violation of the recordkeeping provisions of this General Quarantine Order.

C. If duplicate (non-unique to the animal in the herd) secondary identification is observed during inventories conducted by a USDA APHIS Category II accredited veterinarian that duplication shall be resolved within a time frame acceptable to the Department.

vii. Whole herd inventory noncompliance—Failure to comply with the provisions of this Subsection 9.n. (related to whole herd visual or hands-on inventory verification) shall be a violation of this General Quarantine Order and may result in imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

o. *Department Inspections.* The Department or its agents acting under the authority and direction of the Department will, at least once per calendar year and as many times as may be necessary to assure compliance with this General Quarantine Order or in response to complaints, inspect the premises upon which an enrolled herd of farmed or captive CWD-susceptible cervids is maintained. The Department may conduct additional inspections at reasonable times. Inspections may include records review, herd inventory with individual animal identification (ID), inspecting fences to assure compliance with the height, maintenance and ingress and egress provisions of Subsection 9.p and other measures within the scope of authority of the Department and necessary to determine compliance with the Herd Certification Program and this General Quarantine Order.

i. *Independent Inspections.* Department inspections are separate and apart from the requirements of Subsection 9.n. (related to whole herd visual or hands-on inventory verification) and shall not be construed to meet the requirements thereof. Department inspections shall not constitute and shall not be done as a substitute for whole herd visual or hands-on inventory verification required by Subsection 9.n. of this General Quarantine Order.

ii. *Interference with officer or employee of the department.* As established at section 2385 of the Domestic Animal Law (3 Pa.C.S.A. § 2385), a person who willfully or intentionally interferes with an employee or officer of the department in the performance of duties or activities authorized under the Domestic Animal Law, which includes this General Quarantine Order, commits a misdemeanor of the third degree and shall, upon conviction, be subject to a term of imprisonment of not more than one year or a fine of not more than \$2,500, or both.

p. *Fencing.* A herd of farmed or captive CWD-susceptible cervids that is enrolled under the Herd Certification Program shall be maintained so as to prevent ingress and egress of cervids. Fence height shall be a minimum of 8 feet, although a 10-foot height is recommended.

q. *Additions to the Herd.* The following requirements apply regardless of the period of time the cervid is in the herd (Example: when a buck is moved to an enrolled herd for breeding season). The addition of a CWD-susceptible

cervid to a herd enrolled in the Herd Certification Program shall be done in accordance with all of the following requirements:

i. The addition of each cervid shall be documented consistent with and in the manner required by Subsection 9.l. (related to ongoing movement of cervids recordkeeping and reporting requirements) and shall be set forth in the annual report required by Subsection 9.k. (related to ongoing annual recordkeeping requirements) of this General Quarantine Order.

ii. No CWD-susceptible cervid may be added to a herd of farmed or captive CWD-susceptible cervids that is enrolled under the Herd Certification Program unless the CWD-susceptible cervid to be added originates from that herd or a herd that is also enrolled in and in good standing in the Pennsylvania Herd Certification Program.

iii. The added CWD-susceptible cervid shall be from a herd of an equal or greater certification status, as established in Subsection 9.c. (related to status of herd).

iv. Cervids sourced from out-of state herds must originate from fully certified (five year status) herds as required by 9 CFR Part 81 of the Code of Federal Regulations.

v. CWD-susceptible cervids shipped interstate or intrastate shall not be stopped over at or exposed to any cervid operation that does not meet the requirements set forth in this subsection or that is not in compliance with this General Quarantine Order.

A. Where a CWD-susceptible cervid is stopped over or unloaded at another premises on which CWD-susceptible cervids are kept or otherwise exposed to other CWD-susceptible cervids, those CWD-susceptible cervids shall be from a herd of equal certification status.

B. Where the stop over premises maintains CWD-susceptible cervids of a lower certification status, the incoming CWD-susceptible cervid(s) certification status shall be lowered to at least the certification status of the herd maintained on the stop over premises.

C. Where the stop over premises is within the Commonwealth and has a certification status greater than that of the CWD-susceptible species stopped over or unloaded at that premises, the certification status of the CWD-susceptible species maintained at the stop over premises shall be reduced to at least the certification status of the stopped over or incoming CWD-susceptible cervids.

vi. Failure to comply with the intrastate movement requirements shall result in adjustment of the herd certification status of the receiving program participant. The herd certification status shall be reduced to the herd certification status of the incoming cervid(s) or a lower status or the receiving program participant's herd being removed from the voluntary herd certification program and placed in the mandatory herd monitoring program.

vii. Failure to comply with interstate movement requirements shall result in removal from the voluntary Herd Certification Program and placement in the mandatory Herd Monitoring Program.

viii. A violation of any of the provisions of this Subsection 9.q (related to additions to the herd) may also result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

r. *Usage of semen, embryos, germ plasm, urine, and other cervid by-products.* Semen, embryos, germ plasm,

urine and other cervid by-products may be used in a herd of farmed or captive CWD-susceptible cervids that is enrolled under the Herd Certification Program if the following are met:

i. The donor animal is from a herd of equal or greater herd status as the destination herd. The source herd shall not have a CWD-positive animal, a CWD-suspect animal or a CWD-exposed animal at time of collection of the cervid by-product. The source herd shall not have CWD identified within the 60 months prior to collection.

ii. Out-of-state donor animals shall meet the same Tuberculosis and Brucellosis testing requirements as would be applicable if the donor animal, itself, was being imported.

iii. Records shall be maintained for 5 years from the date of receipt by the seller and buyer including (as applicable) collection date, animal identification, including the official identification number, with respect to the cervid from which the cervid by-product was collected, animal identification, including the official identification number, with respect to the cervid that received the cervid by-product, date of sale, the CWD status of the source premises, and both buyer and seller name, address and telephone number. If a donor animal is from outside this Commonwealth, records of negative Tuberculosis and Brucellosis testing shall also be maintained. Records shall demonstrate that semen, embryos, urine and other cervid by-products from CWD-positive, CWD-suspect, CWD-exposed, and CWD quarantined herds have been destroyed, including the date and method of destruction.

s. *Intrastate Movement of Enrolled Cervids.* Farmed or captive CWD-susceptible cervids that are enrolled under the Herd Certification Program may be moved intrastate only if all of the following requirements are fulfilled:

i. The cervid shall only be sold, lent, leased, consigned, exchanged, bartered, gifted, boarded, moved including for breeding purposes, given, harvested or otherwise transferred to a person or entity that is currently enrolled in either the CWD herd certification or CWD herd monitoring program established by this General Quarantine Order.

ii. The identification requirements delineated in Subsection 9.j. (related to identification of subject animals) of this General Quarantine Order are followed and obeyed.

iii. The movement is properly and fully recorded in a manner that meets all of the requirements established under Subsection 9.k. (related to ongoing annual recordkeeping requirements) of this General Quarantine Order.

iv. The movement is properly and fully recorded in a manner that meets all of the requirements established under Subsection 9.l. (related to ongoing movement of cervids recordkeeping and reporting requirements) of this General Quarantine Order.

v. The herd addition requirements established under Subsection 9.q. (related to additions to the herd) of this General Quarantine Order are followed and obeyed.

vi. A cervid enrolled under the Certified Herd Program shall not be moved back onto a certified herd property, if that cervid has entered onto the premises of a monitored herd or a non-enrolled premises, such as a stop-over premises or a fairground, even if such movement was for display purposes only.

vii. All other applicable intrastate movement requirements established by the Domestic Animal Law, its attendant regulations or an order of the Department are followed and obeyed.

t. *Bills of Sale.* All program participants shall create and have in their possession and shall keep as a part of their records for a period of five (5) years a bill of sale for each cervid purchased or sold. The bill of sale shall have information necessary to comply with the recordkeeping provisions of Subsection 9.l.vi., vii., viii. ix. and x. (related to ongoing movement of cervids recordkeeping and reporting requirements). For each cervid transferred by a means other than sale, including barter, lease, loan, exchange or otherwise, a written document of the transaction setting forth the type of transfer and the information required in the Bill of Sale shall be created. Such document shall be maintained as a part of the program participants file for a period of five (5) years. All documents required by this subsection shall be made available to the Department, its employees or agents, upon request.

u. *Changes of Status or Change of Program for Non-Compliance.* If a herd is enrolled in the CWD Herd Certification Program, and the program participant fails to meet the applicable requirements of the voluntary Herd Certification Program as described in this General Quarantine Order or the enrolled herd is not maintained in accordance with the applicable requirements of this General Quarantine Order, the Department may, as it determines is appropriate and for reasons more specifically set forth in the Herd Certification Program provisions of this General Quarantine Order, change the herd certification status of the enrolled herd to a lower status, or remove the herd from the voluntary CWD Herd Certification Program and enroll it under the mandatory CWD Herd Monitoring Program. These actions may be taken for violations such as failure to meet applicable mandatory testing requirements, animal identification requirements, reporting requirements, recordkeeping requirements, herd addition requirements, interstate or intrastate movement requirements or any other requirements imposed by this General Quarantine Order. Herd Certification Program participants found in violation of this Order shall be subject to imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

#### 10. *CWD Herd Monitoring Program.*

a. *Program established.* The Chronic Wasting Disease Herd Monitoring Program (Herd Monitoring Program) as established by the August 4, 2006, General Quarantine Order; Chronic Wasting Disease Program (36 Pa.B. 4612 (August 19, 2006) described in Section 2 (related to October 19, 2013 and February 4, 2011 general quarantine order; chronic wasting disease program) and continued by the February 4, 2011, General Quarantine Order; Chronic Wasting Disease Program (41 Pa.B. 727 (February 5, 2011)), as the Chronic Wasting Disease Herd Monitoring Program (Herd Monitoring Program), is continued as otherwise modified by this Order in the manner established herein.

b. *Mandatory Program.* Enrollment in the CWD Herd Monitoring Program is mandatory, if not participating in the voluntary CWD Herd Certification Program, for those that own CWD-susceptible species. The CWD Herd Monitoring Program establishes criteria which are less stringent than those required by the CWD Herd Certification Program. Failure to enroll in the mandatory CWD Herd



Monitoring Program or failure to comply with the criteria established in this General Quarantine Order may result in the imposition of penalties, such as criminal and civil penalties, injunctive, civil and equitable relief, as is allowed under the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.).

c. *Previously Enrolled Herds.* The status of herds enrolled in the CWD Herd Monitoring Program under the February 4, 2011 Order of General Quarantine which are in compliance with that Order as of the effective date of this General Quarantine Order will maintain their existing status under this Order of General Quarantine if they elect to enroll in and agree to comply with the provisions of the CWD Herd Monitoring Program established under this Order of General Quarantine.

d. *Duty to Report Suspects and Dead Cervids and Dead Cervids found in an advanced state of decomposition.* The program participant, the owner of a herd of farmed or captive CWD-susceptible cervids and any caretaker of that herd shall report any suspect cervid, dead cervid or dead cervid found in an advanced state of decomposition as set forth herein. Failure to comply with any of the provisions of this subsection including failure to report a suspect cervid, the death of a cervid within the time periods set forth herein or the discarding, removal or disposal of carcasses, parts, offal or tissues in a manner which is inconsistent with the provisions of this subsection or without the required verifications shall constitute a violation of this General Quarantine Order.

i. *Suspect Cervid*—Any cervid that shows signs that are consistent with CWD (such as staggering, drooling, wasting or unusual behavior) shall be immediately reported to the designated regional office of the Bureau of Animal Health in the Pennsylvania Department of Agriculture. The suspect cervid shall not be removed from the premises of the program participant until such time as the Department has been able to assess the animal and issue an order or guidance with regard to the holding, harvesting, testing and removal of such animal. Failure to immediately report a suspect cervid or abide by the removal provisions of this section shall constitute a violation of this General Quarantine Order.

ii. *Dead Cervid*—Upon the discovery of any dead farmed or captive CWD-susceptible cervid aged 12 months or older, the program participant, owner or caretaker shall take the following steps and comport with the following protocols:

A. Record the death and include the animal as part of the Ongoing Annual Recordkeeping Requirements, established by Subsection 10.k. of this Order of General Quarantine.

B. Have the dead cervid tested. The entire carcass, head or tissue samples from the carcass shall be transported for testing in accordance with the requirements of Subsections 10.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) or 10.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids), as applicable, of this General Quarantine Order.

iii. *Dead cervid found in an advanced state of decomposition*—Upon the discovery of any dead farmed or captive CWD-susceptible cervid aged 12 months or older in an advanced state of decomposition, the program participant, owner or caretaker shall report this death to the designated regional office of the Department within 48 hours.

The program participant, owner or caretaker shall take the following steps and comport with the following protocols:

A. The dead cervid, including all parts and offal, shall not be removed from the premises of the program participant, except that the entire carcass or head of the carcass may be transported for testing as set forth in Subsection 10.f.i. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) of this General Quarantine Order or tissue samples may be collected and sent for testing as set forth at Subsection 10.f.ii. of this General Quarantine Order.

B. Where only the head or tissue samples are sent for testing, the carcass, parts and offal of the dead cervid shall not be removed from the premises of the program participant until test results have been received or a determination that the carcass is untestable and shall only be disposed of in a manner approved by and set forth in writing by the Department.

C. Dead cervid carcasses considered to be untestable by the program participant or owner shall be verified as such by a Department or USDA, APHIS representative prior to removal or disposal of such carcass, parts and offal. The Department or USDA, APHIS representative may determine that the entire carcass shall be collected and moved directly to a laboratory for collection and potential testing.

iv. Failure to abide by the requirements of this Subsection d. (related to duty to report suspects and dead cervids and dead cervids found in an advanced state of decomposition) shall be a violation of this General Quarantine Order and may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

e. *Mandatory Testing.* One-hundred percent of all mortalities, due to any cause, shall be tested. The mandatory testing requirements established herein shall become effective upon enrollment and shall apply to all cervids regardless of the herd of origin. A program participant with a herd that is enrolled in the Herd Monitoring Program shall be responsible to ensure that a farmed or captive CWD-susceptible cervid is tested in accordance with Subsections 10.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) or 10.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids), as applicable, if any of the following occur:

i. The cervid shows signs (such as staggering, drooling, wasting or unusual behavior) that are consistent with CWD and the cervid dies or is killed.

ii. The cervid is 12 months of age or older and is sent to a slaughter facility.

iii. The cervid is 12 months of age or older and dies for any reason (including accident, natural causes, slaughter, harvesting, hunting, culling or any other cause).

f. *Mandatory Testing for Farmed or Captive CWD-Susceptible Cervids designated as CWD Suspects.* If a dead farmed or captive CWD-susceptible cervid is required to be tested because it showed signs (such as staggering, drooling, wasting, or unusual behavior) that are consistent with CWD before it died or was killed, as described in Subsection 10.e.i. (related to mandatory testing), it shall be tested according to either of the following procedures:

i. A person shall immediately notify the Department of the dead CWD-susceptible cervid and do the following:

A. Collect either the entire carcass of the cervid or the entire head of the cervid with official identification devices attached in situ.

B. Deliver the carcass or head with official identification devices attached in situ for CWD testing. The properly completed chain of custody forms and sample submission forms required under Subsection 10.i. (related to chain of custody of samples; submission of samples) of this General Quarantine Order shall accompany the carcass or head. The carcass or head shall bear a proper form of identification and be delivered within 72 hours of the cervid's death to either a Department laboratory, or to a laboratory that has been approved, in advance, by the Department or USDA, or both, to perform CWD testing. Results of samples submitted without the proper and required official identification or the properly completed chain of custody forms and sample submission forms may not be recognized by the Department and shall be considered a violation of this General Quarantine Order. Any such violation may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

ii. As an alternative to the CWD testing procedure described in paragraph (i), the following procedure shall be followed:

A. Tissue samples shall be collected by one of the following:

I. A USDA, APHIS Category II accredited practitioner of veterinary medicine.

II. An authorized State official. A Department-certified CWD Sampling Technician does not meet the requirements of this subparagraph.

III. An authorized Federal official.

B. Tissue samples shall be collected and preserved within 72 hours of the cervid's death.

C. Tissues samples shall consist of the obex and the medial retropharyngeal lymph nodes preserved in formalin; and in a separate container that does not contain formalin or any other preservative, a small portion of the ear or other skin that is attached to the official identification of the subject cervid.

D. The tissue samples shall be delivered within 72 hours of the cervid's death to the Pennsylvania Veterinary Laboratory or to a laboratory that has been approved in advance by the Department or USDA, or both, for CWD testing. It is the owner's responsibility to report the death within the a time frame that allows for collection and preservation of the tissue samples within 72 hours of the cervid's death as required by Subsection B. above and protect the carcass from further degradation until tissue samples can be collected.

E. Properly completed chain of custody forms and Sample Submission Forms as required under Subsection 10.i. (related to chain of custody of samples: submission of samples) of the General Quarantine Order shall accompany the tissue samples.

g. *Testing Protocol for Other Farmed or Captive CWD-Susceptible Cervids.* One-hundred percent of all mortalities, due to any cause, shall be tested. If a farmed or captive CWD-susceptible cervid does not exhibit signs (as

described in Subsection 10.d.i. (related to duty to report suspects and dead cervids and dead cervids found in an advanced state of decomposition)) that are consistent with CWD, and is required to be tested because it is 12 months of age or older and was either sent to a slaughter facility or died for any reason, as described in Subsections 10.e.ii. and 10.e.iii. (related to mandatory testing), the Department shall be notified by the program participant, who shall send the Department records setting forth the official identification of each farmed or captive CWD-susceptible cervid that was sent to slaughter or died for any reason set forth in Subsection 10.e.ii. and 10.e.iii., along with the name and address of the slaughter facility where each animal was slaughtered or the name and address of the place where the animal died or was harvested and the cause of death (see Subsection 10.k. (related to ongoing annual recordkeeping requirements)). In such cases, each farmed or captive CWD-susceptible cervid shall be tested according to the following procedures:

i. Tissue samples shall be collected by one of the following:

A. A USDA, APHIS Category II accredited practitioner of veterinary medicine.

B. An authorized State official.

C. An authorized Federal official.

D. A Department-certified CWD Sampling Technician.

ii. Tissue samples shall be collected and preserved within 72 hours of the cervid's death.

iii. Tissues samples shall consist of the obex and the medial retropharyngeal lymph nodes preserved in formalin; and in a separate container that does not contain formalin or any other preservative, a small portion of the ear or other skin that is attached to the official identification of the subject cervid.

iv. Properly completed chain of custody forms and sample submission forms as required under Section 10.i. (related to chain of custody samples; submission of samples) of this General Quarantine Order shall accompany the tissue samples.

v. The tissue samples shall, within 30 days of collection, be delivered to the Pennsylvania Veterinary Laboratory or a laboratory that has been approved in advance by the Department or USDA, or both, to perform CWD testing.

vi. As an alternative to the testing protocol described in paragraph, i., ii., iii., iv., and v. of this Subsection 10.g. (related to testing protocol for other farmed or captive CWD-susceptible cervids) the following protocols shall be followed:

A. Within 72 hours of the cervid's death, collect and deliver either the entire carcass of the cervid with official identification devices attached in situ or the entire head of the cervid with official identification devices attached in situ to a Department laboratory for CWD testing, or to a laboratory that has been approved in advance by the Department or USDA, or both, to perform CWD testing.

B. The program participant/herd owner shall be responsible for properly identifying the cervid carcass or head and delivering it in a manner that does not destroy or make the animal untestable.

C. The person who delivers the carcass or head need not be an approved tissue collector as described in Subsection 10.g.i. (related to testing protocol for other farmed or captive CWD-susceptible cervids).



D. The name, address, and signature of the person collecting, or the person in possession of the carcass, and the person delivering the carcass or head shall be set forth in writing and such writing shall be attached to the chain of custody forms and sample submission forms required by this General Quarantine Order.

E. The properly completed chain of custody forms and sample submission forms required under Subsection 10.i. (related to chain of custody of samples; submission of samples) of this General Quarantine Order shall accompany the carcass or head.

F. Results of samples submitted without the proper and required official identification or the properly completed chain of custody forms and sample submission forms may not be recognized by the Department and shall be considered a violation of this General Quarantine Order. Any such violation may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

*h. Impact of Late Notice, Delivery or Untestable Samples.*

i. It is the program participant/herd owner's responsibility to assure good quality tissue is submitted for testing and ensure that all required samples are collected properly and in a timely manner as required by Sections 10.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) and 10.g. (related to testing protocol for other farmed or captive CWD susceptible cervids) of this General Quarantine Order. All required tissues shall be collected regardless of sample condition (e.g. autolyzed or frozen). In cases where sample quality is poor, the Department shall be notified and a determination made on samples to be submitted.

ii. Failure to abide by the requirements of this section shall be a violation of this General Quarantine Order and may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386). Where the history of sample collections and submissions from the program participant/herd owner demonstrates a pattern of lack of submission of required samples, untimely submission of samples or poor performance including incorrect tissues submitted, poor tissue quality or non-compliance with the provisions and requirements of Subsections 10.e. (related to mandatory testing), 10.f. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) and 10.g. (related to testing protocol for other farmed or captive CWD susceptible cervids) of this General Quarantine Order, the Department may seek such additional remedies, including injunctive relief as is allowed under the Domestic Animal Law. Adherence to the 72-hour deadlines established in this Subsection 10.f.i.B., 10.f.ii.B., 10.f.ii.D. (related to mandatory testing for farmed or captive CWD-susceptible cervids designated as CWD suspects) and 10.g.ii. and 10.g.vi.A. (related to testing protocol for other farmed or captive CWD susceptible cervids) will be considered a mitigating factor by the Department in any penalty assessed.

i. *Chain of Custody of Samples; Submission of Samples.* A person may obtain chain of custody forms and sample submission forms from the Department by sub-

mitting a written request for such forms or by downloading the forms from the Department's website ([www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)).

i. A person submitting a sample (whether tissue samples, an entire carcass or an entire head) for testing under the Herd Monitoring Program shall complete a chain of custody form and a sample submission form, and shall submit those forms along with the sample that is delivered for testing.

ii. The chain of custody form shall clearly identify the premises, including the address of the premises and the name and signature of the herd owner, on which the cervid resided and from which it was taken, official identification on the cervid, the date of sampling, and the persons (in chronological order) who handled the sample from the point it was taken until it is delivered to the Pennsylvania Veterinary Laboratory or a Department-approved laboratory, or a USDA-approved laboratory for CWD testing.

iii. The chain of custody form shall bear the signature, printed name and other identifying information with respect to each person who handles the sample.

iv. The completed chain of custody form and the sample submission form shall be provided to a responsible person at the laboratory to which the sample is delivered.

j. *Identification of Subject Animals.* Each farmed or captive CWD-susceptible cervid that is within a herd enrolled in the Herd Monitoring Program shall have at least one form of the Department and/or USDA, APHIS-approved official animal identification attached if it is transported from the enrolled premises or is tested for CWD as required by Subsection 10.e. (related to mandatory testing) of this General Quarantine Order. In accordance with 9 CFR Parts 71, 77, 78, and 86 "Traceability for Livestock Moving Interstate", official identification shall not be removed from animals. Identification devices shall be submitted with tissues or remain in place when heads or carcasses are submitted for testing. Forms of identification that are Department-approved or USDA, APHIS-approved, or both, are considered "official" forms of identification for purposes of this provision and include the following:

i. A legible and unique tattoo approved by the Department or USDA, APHIS.

ii. A USDA, APHIS-issued ear tag, bearing a unique number provided by USDA, APHIS that utilizes one of the following numbering systems:

A. The National Uniform Eartagging System (NUES).

B. The Animal Identification Number (AIN) bearing 15 digits starting with '840.'

C. The premises-based numbering system using a Premises Identification Number (PIN) in conjunction with a livestock production numbering system.

D. Any other numbering system approved by USDA, APHIS and the state veterinarian.

iii. A Department-issued metal ear tag, bearing a unique number provided by the Department.

iv. An electronic implant device, such as a microchip, that utilizes a nationally unique 15 digit animal identification number starting with '840' provided an appropriate reader is immediately available wherever the animal is located.

v. Any other identification device approved by the Department and USDA, APHIS.

k. *Ongoing Annual Recordkeeping Requirements.* A program participant with a herd that is enrolled in the Herd Monitoring Program shall maintain up-to-date herd inventory records with respect to the subject herd for a period of 5 years, shall make these records available for inspection by the Department upon request, and shall mail or deliver a copy of these records to the Department no later than one month after each anniversary of the "date of enrollment" in the Herd Monitoring Program. These records shall be kept and filed on forms developed, approved and provided by the Department. The forms will be made available on the Department's website ([www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)) and will be available in paper form for those program participants that do not have internet access. The program participant shall be required to complete all fields on the recordkeeping forms and incomplete forms shall be returned to the program participant with a deadline for completion. These records shall include the following information with respect to each subject cervid:

i. Herd size (estimate if exact size is not known).

ii. Documentation of test results indicating a testing level of no less than 100% of cervids that have died from any cause, or were slaughtered or harvested from the last provided inventory and in accordance with the recordkeeping provisions, Subsections 10.k and 10.l. of this General Quarantine Order.

iii. For each CWD-susceptible cervid with identification that is enrolled in the Herd Monitoring Program:

A. The unique number or identification information from the tattoo, tag, electronic implant device or other identification device described in Subsection 10.j. (related to identification of subject animals).

B. The sex and species of the subject cervid.

C. The date of birth of the subject cervid.

iv. The date of departure and the destination of any subject cervid removed from the herd since the last provided inventory. Such records shall include all of the following information:

A. The contact information (name, complete address, telephone number and when available, email address) of the person to whom the cervid was sold, lent, leased, consigned, exchanged, bartered, gifted, boarded, moved including for breeding purposes, given, harvested or otherwise transferred.

B. The contact information (name, complete address, telephone number and where applicable, Pennsylvania Dealer/Hauler or Cervidae Livestock Operations license number or both where both types of licenses are held) of any dealer, hauler or broker or Pennsylvania cervid livestock operation utilized in such transaction.

C. The date of death and cause of death (if known) of any subject cervid that dies and the CWD test result for that animal.

v. If the subject cervid is new to the herd since the "date of enrollment," or previous annual inventory report, designation of whether the subject was born to the herd or acquired from outside the herd. If the subject cervid was acquired from outside the herd the following information shall be provided:

A. The source of the subject cervid including contact information (name, complete address, telephone number and when available, email address) of the source herd.

B. The date of acquisition.

vi. Where a Pennsylvania dealer, hauler, broker or Pennsylvania cervid livestock operation was involved in the transaction, the name, complete address, telephone number and Pennsylvania Dealer/Hauler or Cervidae Livestock Operations license number or both where both types of licenses are held of such dealer, hauler, broker or Pennsylvania cervid livestock operation.

1. *Ongoing Movement of Cervids Recordkeeping and Reporting Requirements.* A program participant shall report any and all movements of CWD susceptible species of cervids onto and off of the premises (i.e. additions and deletions to the herd) if the transaction was with a Herd Certification Program participating herd. Such reports shall meet the requirements of Subsection 9.l. (related to CWD Herd Certification Program, ongoing movement of cervids recordkeeping and reporting requirements).

m. *Ongoing Reporting Requirement regarding Theft or Escape of CWD-Susceptible Cervids from an Enrolled Herd or Wild CWD-Susceptible Cervids entering an Enrolled Herd.*

i. Theft or escape—A program participant shall report to the designated Department's regional office within 48 hours the removal of any farmed or captive CWD-susceptible cervid from the enrolled herd through theft or escape. The program participant shall file a signed, written report of theft or escape of a cervid with the designated Department's regional office within ten (10) business days of the theft or escape either by mail, fax or email. The signed written report shall set forth the date of such theft or escape, the cause of such escape or perpetrator of such theft if known, a copy of the police report if theft was involved and shall clearly identify each cervid, including setting forth the official identification of each cervid, that escaped or was stolen.

ii. Breach by a wild CWD susceptible cervid—A program participant shall report to the designated regional office within 48 hours if a wild CWD-susceptible cervid or any other CWD-susceptible cervid gains entrance into the enrolled herd. The program participant shall file a signed, written report with the designated Department's regional office within ten (10) business days of the incident. Such report shall be filed either by mail, fax or email. The signed written report shall set forth the date on which the wild CWD-susceptible cervid or any other CWD-susceptible cervid gained entrance and any action taken by the program participant, including the date on which the wild CWD susceptible cervid or any other CWD susceptible cervid was removed from the enclosure, the method of removal, the cause of incident, such as break in the fence or a gate left open and any action taken to prevent the ingress of wild CWD susceptible cervids or any other CWD susceptible cervid from occurring again.

iii. Exception—This reporting requirement is not applicable to additions to a herd as described in Subsection 10.p. (related to additions to the herd)

iv. Failure to report—Failure to report theft, escapes, or ingress of wild cervids within prescribed deadlines shall be a violation of this General Quarantine Order and may result in imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

n. *Inspections.* The Department or agents acting under authority and direction of the Department may, at its discretion, inspect the premises upon which an enrolled herd of farmed or captive CWD-susceptible cervids is maintained to assure compliance with this General Quarantine Order or in response to complaints. The Department may conduct additional inspections at reasonable times.

i. *General scope*—Inspections may include records review, checking individual animal identification, whole herd inventory with individual animal identification, inspecting fences to assure compliance with the height, maintenance and ingress and egress provisions of Subsection 10.o. and other measures within the scope of authority of the Department and necessary to determine compliance with the Herd Monitoring Program. A program participant shall cooperate with the Department, and shall facilitate the inspection by making premises, animals and records available to the Department without delay.

ii. *Inspection noncompliance*—Failure to comply shall be a violation of this General Quarantine Order and may result in imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

iii. *Interference with officer or employee of the department.* As established at section 2385 of the Domestic Animal Law (3 Pa.C.S.A. § 2385), a person who willfully or intentionally interferes with an employee or officer of the department in the performance of duties or activities authorized under the Domestic Animal Law, which includes this General Quarantine Order, commits a misdemeanor of the third degree and shall, upon conviction, be subject to a term of imprisonment of not more than one year or a fine of not more than \$2,500, or both.

o. *Fencing.* A herd of farmed or captive CWD-susceptible cervids that is enrolled under the Herd Monitoring Program shall be maintained so as to prevent ingress and egress of cervids. Fence height is to be a minimum of 8 feet, although a 10-foot minimum height is recommended.

p. *Additions to the Herd.* The following requirements apply regardless of the period of time the cervid is in the herd (Example: when a buck is moved to an enrolled herd for breeding season). The addition of a CWD susceptible cervid to a herd enrolled in the Herd Monitoring Program shall be done in accordance with all of the following requirements:

i. The addition of each cervid shall be documented consistent with and in the manner required by Subsection 10.l. (related to ongoing movement of cervids recordkeeping and reporting requirements) and shall be set forth in the annual report required by Subsection 10.k. (related to ongoing annual recordkeeping requirements) of this General Quarantine Order.

ii. Cervids sourced from out-of-state herds must originate from fully certified herds as required by 9 CFR Part 81 of the Code of Federal Regulations.

iii. A violation of any of the provisions of this Subsection 10.p. (related to additions to the herd) may result in the imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

q. *Usage of semen, embryos, germ plasm, urine, and other cervid by-products.* Semen, embryos, germ plasm, urine and other cervid by-products may be used in a herd of farmed or captive CWD-susceptible cervids that is enrolled under the Herd Monitoring Program if the following are met:

i. The donor animal is from a herd enrolled in the CWD Herd Monitoring Program, CWD Herd Certification Program, or an equivalent USDA, APHIS-approved out-of-state Herd Certification Program. The source herd shall not have a CWD-positive animal, CWD-suspect animal, or CWD-exposed animal at time of collection of the cervid by-product. The source herd shall not have CWD identified within the 60 months prior to collection.

ii. Out-of-state donor animals shall meet the same Tuberculosis and Brucellosis testing requirements as would be applicable if the donor animal, itself, was being imported.

iii. Records shall be maintained for 5 years from the date of receipt by the seller and buyer including (as applicable) collection date, animal identification including the official identification if available, with respect to the cervid from which the cervid by-product was collected, animal identification including the official identification if available, with respect to the cervid that received the cervid by-product, date of sale, the CWD status of the source premises, and both buyer and seller name, address and telephone number. If a donor animal is from outside the Commonwealth, records of negative Tuberculosis and Brucellosis testing shall also be maintained. Records shall demonstrate that semen, embryos, urine and other cervid by-products from CWD-positive, CWD-suspect, CWD-exposed and CWD-quarantined herds have been destroyed, including the date and method of destruction.

r. *Limitations on Intrastate Movement of Enrolled Cervids.* Farmed or captive CWD-susceptible cervids that are enrolled under the Herd Monitoring Program may be transported intrastate to destinations including hunting preserves, slaughter facilities, other Herd Monitoring Program participating herds or new premises obtaining cervids for the first time; only if all of the following requirements are fulfilled:

i. The cervid shall only be sold, lent, leased, consigned, exchanged, bartered, gifted, boarded, moved including for breeding purposes, given, harvested or otherwise transferred to a person or entity that is currently enrolled in either the Herd Certification Program or the Herd Monitoring Program established by this General Quarantine Order.

ii. The identification requirements delineated in Subsection 10.j. (related to identification of subject animals) of this General Quarantine Order are followed and obeyed.

iii. The movement is properly and fully recorded in a manner that meets all of the requirements established under Subsection 10.k. (related to ongoing annual recordkeeping requirements) of this General Quarantine Order.

iv. The movement is properly and fully recorded in a manner that meets all of the requirements established under Subsection 10.l. (related to ongoing movement of cervids recordkeeping and reporting requirements) of this General Quarantine Order.

v. The herd addition requirements established under Subsection 10.p. (related to additions to the herd) of this General Quarantine Order are followed and obeyed.



vi. All other applicable intrastate movement requirements established by the Domestic Animal Law, its attendant regulations or an order of the Department are followed and obeyed.

s. *Bills of Sale.* All program participants shall create and have in their possession and shall keep as a part of their records for a period of five (5) years a bill of sale for each cervid purchased or sold. The bill of sale shall have information necessary to comply with the recordkeeping provisions of Subsection 9.1. (related to CWD herd certification program, ongoing movement of cervids recordkeeping and reporting requirements). For each cervid transferred by a means other than sale, including barter, lease, loan, exchange or otherwise, a written document of the transaction setting forth the type of transfer and the information required in the Bill of Sale shall be created. Such document shall be maintained as a part of the program participants file for a period of five (5) years. All documents required by this subsection shall be made available to the Department, its employees or agents, upon request.

t. *Noncompliance.* If a herd is enrolled in the mandatory CWD Herd Monitoring Program, and the program participant fails to meet the applicable requirements of this Order or the enrolled herd is not maintained in accordance with the applicable requirements of this Order, the Department may, as it determines is appropriate, take enforcement action. This action may be taken for violations such as failure to meet applicable mandatory testing requirements, animal identification requirements, reporting requirements, recordkeeping requirements or any other requirements imposed by this Order. Herd Monitoring Program participants found in violation of this Order shall be subject to imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

11. *Participation of non CWD-susceptible cervids in the Herd Certification Program or Herd Monitoring Program.* Any contrary provision of this Order notwithstanding, persons may voluntarily enroll farmed or captive cervids that are not CWD-susceptible cervids (example: reindeer) in either the Herd Certification Program or the Herd Monitoring Program. Voluntary enrollment shall subject the owner/program participant to all provisions of the Program in which they enroll and the owner/program participant shall be required to meet and comply with all of the standard and edicts of either Program including those requirements that are specifically stated for CWD susceptible species.

12. *Violations/Penalties.* Any person violating the requirements of this Order shall be subject to imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383 and 2386).

13. *No Restriction on Further Action by the Department.* This Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported cervids.

14. *Effective Date.* Sections A through L of the "Recitals" and Sections 2. through 8. and 12. through 14. of this "Order of General Quarantine" shall become effective immediately upon publication in the *Pennsylvania Bulletin*.

*tin.* This Order in its entirety shall become effective as of August 1, 2014 and shall remain in effect unless rescinded or modified by subsequent order.

GEORGE D. GREIG,  
*Secretary*

[Pa.B. Doc. No. 14-377. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Request for Bids

The Department of Conservation and Natural Resources is soliciting bids for the following projects. Bid documents can be obtained from the Administrative Services Section, Bureau of Facility Design and Construction, (717) 787-5055:

*FDC-011-7769.1—General Construction, 3-Bay Storage Building, Thornhurst Maintenance HQ, Lackawanna State Forest, Thornhurst Township, Lackawanna County.* Work included under this contract consists of general construction of a three-bay storage building. Project includes site work, foundations, structural frame, metal siding and roofing, overhead doors, mechanical equipment and miscellaneous work.

Responsive bidders must hold a current small business certification from the Department of General Services (DGS).

*FDC-011-7769.4—Electrical Construction, 3-Bay Storage Building, Thornhurst Maintenance Building HQ, Lackawanna State Forest, Thornhurst Township, Lackawanna County.* Work included under this contract consists of electrical construction for a three-bay storage building. Project includes utility service work modifications, electric power, lighting and control systems and miscellaneous electrical work.

Responsive bidders must hold a current small business certification from the DGS.

*FDC-317-7670.1—Refinish Slides, Towers, and Play Features, Little Buffalo State Park, Centre Township, Perry County.* Work included under this contract consists of refinishing/painting water slides, spray ground and tower slide system; and installing new valves, fasteners and fiberglass grating. Work also includes caulking and replacing gaskets on play features as shown on contract drawings.

Responsive bidders must hold a current small business certification from the DGS.

Bid documents will be available on or after February 19, 2014. The bid opening will be held on March 20, 2014.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-378. Filed for public inspection February 21, 2014, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

#### 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. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. 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: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<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>
PA0061948 (Sewage)	Lehighon Land Company Otto's Blue Mountain RV & Camping Resort 1500 Rock Street Lehighon, PA 18235	Carbon County Franklin Township	Pohopoco Creek (2-B)	Y



*Southcentral Region: Clean Water 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>
PA0087459— Sew	Country View Village PO Box 375 Gap, PA 17527	Perry County / Centre Township	UNT Trout Run / 7-A	Y
PA0083151— Sew	Penn Manor School District— Marticville Middle School PO Box 1001 Millersville, PA 17551	Lancaster County / Martic Township	Pequea Creek / 7-K	Y
PA0023540— Sew	Berks—Montgomery Municipal Authority 136 Municipal Drive PO Box 370 Gilbertsville, PA 19525-0370	Berks County Colebrookdale Township	Ironstone Creek / 3-D	Y

*Northwest Region: Clean Water 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>
PA0104035	Daily Bread Café 2906 Route 155 Port Allegany, PA 16743	McKean County Liberty Township	Allegheny River (16-C)	Y

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

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**PA0052850**, Sewage, SIC Code 4952, **Stockertown Borough**, 209 Main Street, Stockertown, PA 18083-4000. Facility Name: Stockertown Borough STP. This existing facility is located in Stockertown Borough, **Northampton County**.

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

The receiving stream(s), Little Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for High Quality Waters—Cold Water Fishes and, 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 0.0865 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	14	21	XXX	20.0	30.0	40.0
Nov 1 - Apr 30	18	28	XXX	25.0	40.0	50.0
Total Suspended Solids	21	32	XXX	30.0	45.0	60.0
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	2	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	6	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	Report

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

- Stormwater prohibition; Necessary property rights; Proper management of residuals; Discharge/stream changes; and Schedule for Compliance (new to redraft NPDES permit)

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.

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

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

**WQM Permit No. 2814201, CAFO, Country View Family Farms, LLC, Willow Hill Farm, 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057-5990.**

This proposed facility is located in Metal Township, **Franklin County**.

Description of Proposed Action/Activity: Demolish three shallow pit swine barns with reception pits and decommission existing manure lagoons. Manure storage lagoon #1 will be decommissioned at the start of construction. The manure storage lagoon #2 will temporarily be modified to a smaller size during construction to allow for it to remain in use during construction to receive manure from the existing barns that will also remain in use during construction. When construction is complete for the proposed barns lagoon #2 will be decommissioned. Application is for the proposed expansion which will consist of constructing three new swine barns, two of which will have under barn manure storage facilities. A new 161' x 767' Gestation Barn with 9' deep manure storage under barn, a new 117' x 532' Farrowing barn with 2' under barn reception pits which empty into the gestation barn manure storage, and a new 71' x 487' Gilt grower barn with a 6' deep manure storage under barn.

### 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 18701-1915.*

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown PA 18708*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024014001	PPL Electric Utilities Corp. Two North Ninth Street GENN 4 Allentown, PA 18101-1179	Luzerne	Buck Township	UNT to Kendall Creek (EV, MF)

*Schuylkill County Conservation District, 1206 Ag Center Dr., Pottsville PA 17901*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025413002	RGC Development, LP Robert Ciccone, President 6866 Christophalt Drive Bath, PA 18014	Schuylkill	Tamaqua Borough	Owl Creek (HQ-CWF, MF)

*Northcentral Region: Waterways & Wetlands 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>
PAI041408010R	Conrad Weiser 2450 Harbourside Dr #214 Longboat Key, FL 34228	Centre	Huston and Patton Townships	Henderson Run CWF

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044113005	Wade Shaner 155 Keller Hollow Rd Unityville PA 17774	Lycoming	Jordan Township	UNT to Little Muncy Creek EV, MF

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050214001	Redevelopment Authority of Allegheny County 112 Washington Place Suite 900 Pittsburgh, PA 15219	Allegheny	Coraopolis Borough, Robinson Township, Moon Township	Montour Run (TSF)

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056514001	West Penn Power Company 76 South Main Street Akron, OH 44308	Westmoreland	Salem Township	Beaver Run (HQ-CWF)
PAI056514002	Courtesy Suzuki Land Holdings, LP 13339 Route 30 Huntingdon, PA 15642	Westmoreland	North Huntingdon Township	UNT to Long Run (HQ-TSF)

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

PAG-12      CAFOs

### CAFO Notices of Intent Received

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

**PAG123776**, CAFO, **Brian Blevins, Blevins Blue Mountain Finishing Farm**, 10315 Otterbein Church Road, Newburg, PA 17240.

This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Existing 629.2 AEUs Swine Finishing Farm.

The receiving stream, UNT of Clippingers Run, is in watershed 7-B, and classified for: WWF.

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.

**PAG123777**, CAFO, **Country View Family Farms, LLC, Willow Hill Farm**, 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057-5990.

This proposed facility is located in Metal Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Proposed expansion of sow unit producing 2978.55 AEUs.

The receiving stream, UNT West Branch Conococheague, is in watershed 13-C, and 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

### PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (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.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—APPLICATION**

<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>New or Renewal</i>
Murmac Farms 2336 Zion Road	Centre	1,153	2,402	Dairy	NA	Renewal
Ridge Valley Farms II- Swine Farm Robert S. Martin Farm Address— 206 Lowell Road, McClure, PA 17841 Mailing Address— 4227 Ridge Road, Beaver Springs, PA 17812	Snyder	212.6 owned  88 owned available for manure	483.47	Finishing Swine	NA	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**

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Permit No. 6214501**, Public Water Supply

Applicant	<b>Aqua Pennsylvania</b>
Township or Borough	Clarendon Borough
County	<b>Warren</b>

Responsible Official	Marc A. Lucca
Type of Facility	Public Water Supply
Consulting Engineer	William A. LaDieu, P.E. CET Engineering Services—GHD 1240 N. Mountain Road Harrisburg, PA 17112
Application Received Date	January 22, 2014
Description of Action	Replacement of wells 1 and 2.

**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 and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Mount Laurel Motel**, 1039 South Church Street, Hazle Township, **Luzerne County**, Gregg Walters, MEA, Inc., has submitted a Notice of Intent to Remediate on behalf of his client Kiran Patel, Nilkanth, Inc., 1039 South Church Street, Hazleton, PA 18201, concerning the remediation of soil and groundwater due to a failure in a tank tightness test done in November of 2002. The applicant proposes to remediate the site to meet the non-residential Statewide Health Standards for soil and groundwater. The intended future use of the site is commercial and plans to remain a motel. A Summary of the Notice of Intent to Remediate was published in *The Standard Speaker* on January 13, 2014.

**Slate Belt YMCA, aka Scotty's Fashions Facility**, 315 W Pennsylvania Ave, Pen Argyl Borough, **Northampton County**, Vincent Carbone, HDR Engineering, Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Frank Frey, YMCA of Nazareth, 33 S Main Street, Nazareth, PA 18064, concerning the remediation of soil impacted from benzo(a)pyrene, arsenic, lead and thallium due to prior railroad maintenance operations. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The intended future use of the site is residential. A summary of the Notice of Intent to remediate was published in *The Express Times* on January 10, 2014.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Quarryville Wastewater Treatment Plant**, 2350 Old Road, Providence Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Suite 100, Lancaster, PA 17602, on behalf of Quarryville Wastewater Treatment Plant, 300 Saint Catherine Street, Quarryville, PA 17566, submitted a Notice of Intent to Remediate site

soils contaminated with fuel oil. The site will be remediated to the Residential Statewide Health standard and remain a wastewater treatment facility. The Notice of Intent to Remediate was published in the *Intelligencer Journal-New Era Newspaper* on January 31, 2014.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Former Tri-state Wholesale Oil Company Facility**, 62 Steubenville Pike, Burgettstown, 15021, Hanover Township, **Washington County**. KU Resources, Inc. 22 South Linden Street, Duquesne, PA 15110 on behalf of North Star Properties, Inc., P.O. Box 2010, Weirton, WV 26062 has submitted a Notice of Intent to Remediate concerning site soils and ground water contaminated with benzene, ethylbenzene, naphthalene, MTBE, polycyclic aromatic hydrocarbons (PAHs) and lead. The intended future use of the property is continued non-residential use. The notification of the NIR was published on February 6, 2014 in the *Herald-Star*.

## HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES PERMIT

**Applications received, under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit ID No. PAD981736143. Safety-Kleen Systems, Inc.**, 150 Allenbill Drive, Johnstown, PA 15904 for Safety-Kleen Systems, Inc. Johnstown Facility, 150 Allenbill Drive, Johnstown, PA 15904. A permit renewal application for the continued operation of the hazardous waste storage facility in Johnstown, **Cambria County** was received at the Southwest Regional Office on December 3, 2013.

## 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.

#### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*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*

**65-01030A: American GTL Energy Holdings, LP** (1119 Old Route 119 South, Mt. Pleasant, PA 15666) for a natural gas to liquids production plant at the New Stanton Gas-To-Liquids Facility in Hempfield Township, **Westmoreland County**. This is an initial major facility Plan Approval submittal. This is a placement correction to a previous publication.

**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.**

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**06-05079G: United Corrstack, LLC** (720 Laurel Street, Reading, PA 19602) for modifying their 482 mmBtu/hr circulating fluidized bed boiler at their roll stock paper facility in the City of Reading, **Berks County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the

abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

Plan Approval #06-05079G is for eliminating multiclones from the controls required for the circulating fluidized bed boiler by existing permit 06-05079. The company shall be subject to and comply with the BAT limit of 0.042 lb particulate/mmBtu. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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 Air Quality Program, 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, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and 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.

Thomas Hanlon, Facilities Permitting Chief, 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.

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)–(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

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

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

**33-172A: Original Fuels, Inc.** (St Jacobs Church Road, PO Box 343, Punxsutawney, PA 15767) for modification of conditions for Source 101 (Primary Diesel Generator) currently operating under GP9-33-172B issued on September 15, 2010, in Perry Township, **Jefferson County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

The modification of conditions for Source 101 (Primary Diesel Generator) currently operating under GP9-33-172B issued on September 15, 2010, will result in projected actual emissions of 6.0 tpy for VOC, 8.3 tpy for NO<sub>x</sub>, 1.2 tpy for CO, 0.9 tpy for PM, and 3.2 tpy for SO<sub>x</sub>. This Plan Approval will contain emission restriction, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

- The engine shall, at a minimum, comply with the following:

- Total Hydrocarbon (THC) emission standard of 1.0 g/bhp-hr

- CO emission standard of 0.2 gms/bhp-hr [Compliance with this condition will show compliance with 40 CFR 60 Subpart IIII limit of 3.5 g/kW-hr]

- Filterable PM emission standard of 0.20 g/kW-hr [Compliance with this condition will show compliance with GP9 limit of 0.4 g/bhp-hr]

- NMHC & NO<sub>x</sub> emission standard of 4.0 g/kW-hr [Compliance with this condition will show compliance with GP9 limit of 6.9 g/bhp-hr]

- Subject to 40 CFR 60 Subpart IIII

- The actual annual operating hours for the engine shall not exceed 1,700 based on a 12-month rolling total.

- The engine shall be tested once every 5 years (between 12 to 6 months prior to operating permit renewal) for NO<sub>x</sub>, VOC (NMHC), CO, and filterable PM at the outlet of the oxidation catalyst.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [33-172A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

## OPERATING PERMITS

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

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-949-705-4863*

**36-05079: Chester County Solid Waste Authority** (7224 Division Highway, Narvon, PA 17555) for operation of a municipal waste landfill in Caernarvon Township, **Lancaster 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. This is a renewal of the facility's Title V operating permit issued in 2008.

The subject facility has annual emissions of approximately 41.6 tons of PM<sub>10</sub> and 5.1 tons of VOCs. 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 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.

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 operating permit, 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 name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and 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.

Thomas Hanlon, Facilities Permitting Chief, 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.

**67-05133: Separation Technologies, LLC** (1400 Wago Road, York Haven, PA 17370) for their fly ash recycling facility in East Manchester Township, **York County**. This is a renewal of the facility's Title V operating permit.

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

The plant is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air



Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). The facility employs a battery of fabric filters to control particulate matter emissions from fly ash processing and handling. Total potential particulate matter emissions from the facility are estimated at around 12 tons per year. Actual emissions are well below that level.

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 operating permit, 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 name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and 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.

William R. Weaver, Air Quality Regional Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**10-00023: Mercer Lime Co.—Branchton Plant** (560 Branchton Road, Slippery Rock, PA 16057) for a Title V Operating Permit Re-issuance to operate a lime manufacturing facility, in the Slippery Rock Township, **Butler County**.

The estimated maximum potential annual emissions from this facility are as follows: NO<sub>x</sub>—225 tons, SO<sub>x</sub>—36 tons, CO—140 tons, VOC—35 tons, PM<sub>10</sub>—165 tons, Total HAPs—11 tons, and Individual HAPs 6 tons.

Because the potential HAP emissions from this facility continue to be below the major source thresholds, this facility continues to be excluded from the requirements of 40 CFR 63—Subpart AAAAA—National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.

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

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

**V13-009: Naval Surface Warfare Center—Carderock Division** (5001 S. Broad Street, Code 02, Philadelphia, PA 19112) for the operation of research, development, testing, evaluation, fleet support and in-service engineering for surface and undersea naval ships facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 202.13 MMBTU/hr wall-fired ship boiler, three (3) boilers each with a heat input < 10 MMBTU/hr, ten (10) heaters each with a heat input < 3 MMBTU/hr, fifteen (15) small boilers/air handlers each less than 3 MMBTU/hr, five (5)

emergency generators, three (3) fire pumps, three (3) engine test cells, five (5) diesel engines used for testing, eleven gas turbines, a paint spray booth, and wood working source. The facility's air emissions control devices include a baghouse and dry filters.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Mr. Edward Wiener (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

#### **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, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**06-05051: Morgan Truck Body, LLC** (P.O. Box 588, Morgantown, PA 19543) for operation of a truck body manufacturing plant in Caernarvon Township, **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. This issuance of the facility's Air Quality Operating Permit includes a change in status from a major source (Title V) Operating Permit to a synthetic minor (State-only) Operating Permit and incorporates those conditions from Plan Approval No. 06-05051D.

The subject facility has annual emissions of approximately 39.1 tons of VOCs and 5.6 tons of 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. 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.

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 name, address and telephone number of the person



submitting the comments, identification of the proposed permit by the permit number listed above and 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.

Thomas Hanlon, Facilities Permitting Chief, 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.

**38-03057: Porterfield Scheid Funeral Directors & Cremation Services, Ltd.** (980 Isabel Drive, Lebanon, PA 17042) for operation of their human crematory in North Cornwall Township, **Lebanon 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 has estimated emissions of 1.0 tpy of PM, 1.4 tpy of CO, 0.4 tpy of NO<sub>x</sub> and 0.4 tpy of VOC. 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 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 name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and 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.

Thomas Hanlon, Facilities Permitting Chief, 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.

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

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

**49-00050: McPherson Greenhouses** (103 Ridge Road, Northumberland, PA 17857) for their greenhouse facility in Point Township, **Northumberland County**. The facility is currently operating under the State Only operating permit 49-00050. The facility's sources include two anthracite coal-fired boilers. The facility has potential emissions of 12.18 tons per year of nitrogen oxides, 0.81 ton per year of carbon monoxide, 52.78 tons per year of sulfur oxides, 14.29 tons per year of particulate matter and 0.27

ton per year of volatile organic compounds, 0.28 ton per year of total hazardous air pollutants (HAPs), and 8,841.06 tons per year of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting, and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Part 60, and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-0550.

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this operating permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed operating permit (specify State Only Operating Permit No. 49-00050) and concise statements regarding the relevancy of the information or objections to issuance of the operating permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. 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.

**41-00058: Charles Construction Co.** (838 East Central Avenue, Jersey Shore, PA 17740-7014) for renewal of the State Only (Synthetic Minor) Operating Permit for their Jersey Shore Asphalt Plant in Limestone Township, **Lycoming County**. The subject facility has the following potential emissions: 85.62 TPY of CO; 36.96 TPY of NO<sub>x</sub>; <100 TPY of SO<sub>x</sub>; 15.19 TPY of PM<sub>10</sub>; 21.03 TPY of VOCs; 3.48 TPY of HAPs; and 22,771 TPY of CO<sub>2e</sub>. The facility's sources include one (1) #2 fuel oil-fired asphalt tank heater, two (2) propane-fired space heaters, two (2) liquid asphalt storage tanks, one (1) #2 fuel oil storage tank, one (1) diesel fuel oil storage tank, (1) one hot mix drum asphalt concrete operation and other miscellaneous sources.

The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SMOP have been derived from the applicable requirements of 40 CFR Part 60 and 25 Pa. Code Chapters 121—145. The renewal State Only (Synthetic Minor) operating permit contains applicable NSPS requirements to the sources at the facility. The renewal State Only (Synthetic Minor) operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 41-00058) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. 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.

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

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

**63-00538: Dynamet, Inc.** (195 Museum Road, Washington, PA 15301) to authorize their continued manufacturing operation of titanium alloy products that include bar, wire, fine wire, shapes and strip at their facility in Chartiers Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Dynamet Incorporated to authorize the continued manufacturing operation of titanium alloy products that include bar, wire, fine wire, shapes and strip at their facility located in the Chartiers Township, Washington County.

The facility consists of titanium pickling lines, grit blaster, billet grinders, acid storage tanks and other miscellaneous equipment associated with this type of operation. There are scrubbers to control emissions from the pickling lines and acid storage tanks and dust collectors to control particulate emissions. This facility has the potential to emit 6.7 ton per year of PM<sub>10</sub>, 11 ton per year of NO<sub>x</sub>, 2.8 ton per year of VOCs, .07 ton per year of H<sub>2</sub>SO<sub>4</sub>, .64 ton per year of HNO<sub>3</sub>, .49 ton per year of HF and .49 ton per year of HAP. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

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 Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling (412) 442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 63-00538) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, and 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Noor Nahar at 412-442-5225.

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

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

**33-00185: Columbia Gas Transmission, LLC—Iowa Compressor Station** (1700 MacCorkle Avenue SE, Charleston, WV 25325) to issue a Natural Minor Operating Permit to this natural gas compressor station in Pine Creek Township, **Jefferson County**. The facility's primary emissions are two (2) Compressor Engines used to move natural gas through the distribution system.

This compressor station was constructed under Plan Approval Number 33-0185A which was issued on January 6, 2012. The applicable requirements from that plan approval have been incorporated into this operating permit.

The Compressor Engines (Source IDs: 101 and 102) at this facility are subject to the newly promulgated requirements of 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The latest revisions of that subpart has been listed in the operating permit.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM—0.74, PM<sub>10</sub>/PM<sub>2.5</sub>—0.74, SO<sub>x</sub>—0.04, NO<sub>x</sub>—33.3, VOC—2.0, CO—2.68, CO<sub>2</sub>—10,740, Formaldehyde—0.46, Other HAPs—0.28, and Total HAPs—0.74.

## 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 Returned*

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

**30841307, Emerald Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin Township,

**Greene County** to install five (5) GOB-Ventilation Boreholes for panel D-1. Surface Acres Proposed 3.91. No additional discharges. Application received August 1, 2013. Application returned January 30, 2014.

### *Coal Applications Received*

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

**03813704 and NPDES No. PA0002283. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Keystone No. 1 Coal Refuse Disposal Area in Plumcreek Township, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No Additional Discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 32130106 and NPDES No. PA0269344. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, commencement, operation, and restoration of a bituminous surface mine in Montgomery Township, **Indiana County** affecting 61.9 acres. Receiving streams: Kilns Run and unnamed tributaries to Cush Cushion Creek to the west branch of the Susquehanna River classified for the following uses: cold water fisheries, high quality cold water fisheries and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: January 21, 2014.

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

**26140101 and NPDES Permit No. PA0252379. T & B Excavating, Inc.** (P.O. Box 337, McClellandtown, PA 15458). Application for commencement, operation and reclamation of bituminous surface mine, located in German Township, **Fayette County**, affecting 59 acres. Receiving streams: unnamed tributaries to Dunlap Creek and unnamed tributary to North Branch Browns Run, classified for the following use: WWF. The potable water supplies with intake within 10 miles downstream from the point of discharge: Southwestern PA Water Authority and Carmichaels Municipal Authority. Application received: February 4, 2014.

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

**10080103. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16001) Renewal of an existing bituminous surface and auger mine in Concord Township, **Butler County**, affecting 123.5 acres. Receiving streams: Two unnamed tributaries to Pine Run, classified for the following uses: WWF; and two unnamed tributaries to Connoquenessing Creek, classified for the following uses: HQ-WWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company. This application is for reclamation only. Application received: February 4, 2014.

### *Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:



Table 2

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

**41110301. E & J Construction, LLC** (1842 Masten Road, Canton, PA 17724-9317). Revision of an incidental boundary correction to incorporate 3.4 acres for mining and support of an existing large non-coal surface mine (sandstone, shale and bluestone) located in McNett Township, **Lycoming County** affecting 28.4 acres. Receiving streams: Unnamed Tributary to North Pleasant Stream to North Pleasant Stream classified for high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 28, 2014.

### 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 precipitation 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. PA0235555 (Mining Permit No. 32131301), Homer City Generation, LP**, (800 Long Ridge Road, Stamford, CT 06927). A renewal to the NPDES and mining activity permit for the Dixon Run Central Treatment Facility in Cherryhill Township, **Indiana County** for water treatment only. Surface Acres Affected 23.8. Receiving stream: Allen Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. Receiving stream: Two Lick Creek Reservoir, classified for the following use: TSF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on December 4, 2013. Application received September 30, 2013.

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.

#### *Outfall 001 discharges to: Allen Run*

The proposed effluent limits for *Outfall 001* (Lat: 40° 36' 59" Long: 79° 02' 45") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.331	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	1.5	1.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	94	118
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

#### *Outfall 002 discharges to: Two Lick Creek Reservoir*

The proposed effluent limits for *Outfall 002* (Lat: 40° 37' 37" Long: 79° 03' 33") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.331	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	1.5	1.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		-	-	REPORT

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

**NPDES No. PA0236195 (Mining Permit No. 30121301), Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). A revision to the NPDES and mining activity permit for the BMX Mine in Morris Township, **Greene County** to add NPDES outfall 034. Surface Acres Affected 21.3. Receiving stream: Unnamed Tributary to Browns Creek, classified for the following uses: HQ-WWF. Monongahela River. The application was considered administratively complete on January 31, 2014. Application received November 12, 2013. 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.

*Outfall 034* discharges to: Browns Creek

The proposed effluent limits for *Outfall 034* (Lat: 39° 57' 13.8" Long: 80° 18' 22.7") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.15	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**NPDES No. PA0212326 (Mining permit no. 56920302), New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for sandstone quarry in Shade Township, **Somerset County**, affecting 214 acres. Receiving stream: Laurel Run, classified for the following use: cold water fisher. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: January 15, 2013.

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: Laurel Run

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N

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

<i>Outfalls: 001, 002 &amp; 003</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/l)	XX	XX	3.7
Manganese (mg/l)	XX	XX	2.5
Aluminum (mg/l)	XX	XX	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0269301 (Mining permit no. 32130103), Alverda Enterprises, Inc.**, P.O. Box 245, Alverda, PA 15710 for a new NPDES permit for surface mining activities Grant Township, **Indiana County**, affecting 38.8 acres. Receiving streams: unnamed tributary to/and Little Mahoning Creek, classified for the following use: high quality cold water fishery. Application received: December 19, 2013.

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 outfalls listed below discharge to an unnamed tributary to Little Mahoning Creek.

The outfalls listed below require a non-discharge alternative.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
Sediment Pond 1	Non-Discharge Alternative
Treatment Pond 1A	Non-Discharge Alternative
Treatment Pond 1B	Non-Discharge Alternative

**NPDES No. PA0269310 (Mining permit no. 32130104), Bedrock Mines, LP**, 111 Freeport Road Pittsburgh, PA 15215, new NPDES permit for surface coal mining in Washington Township, **Indiana County**, affecting 15.6 acres. Receiving stream: Sugarcamp Run, classified for the following use: cold water fishery. This receiving stream is included in the Crooked Creek TMDL. Application received: December 19, 2013.

The outfalls listed below discharge to Sugarcamp Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TB-1)	Y
002 (SP-A)	Y
003 (ST-1)	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 001; 002 and 003 (dry weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	23.0	46.0	57.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 002 and 003 (&gt;10-yr/24-hr precip. event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

*Noncoal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**NPDES No. PA0594300 (Mining permit no. 7574SM1), Pennsy Supply, Inc.**, 1001 Paxton Street Harrisburg, PA 17105, renewal of an NPDES permit for discharge to surface waters resulting from the mining of limestone in Silver Spring Township, **Cumberland County**, affecting 133 acres. Receiving stream: Conodoguinet Creek, classified for the following use: warm water fishery. Application received: December 24, 2013.

The outfalls listed below discharge to Conodoguinet Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
005	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 005</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Average Discharge (MGD)	10.08	N/A	N/A
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 001, 002, 003 (Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/l)	N/A	N/A	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 001, 002, 003 (&gt; 10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0202193 (Mining permit no. 26980601), Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425-6412), renewal NPDES permit for a noncoal surface and deep mine in Bullsken Township, **Fayette County**, affecting 708.6 acres. Receiving streams: unnamed tributaries A, B, and C to Polecat Hollow Run and Polecat Hollow Run, classified for the following use(s): WWF. Application received: September 6, 2013.

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.

*Outfall Nos.*

001, 002, 003, 004, 005

*New Outfall (Y/N)*

N

The proposed effluent limits for Outfalls 001, 002, 003, 004, and 005 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)			7.0
Manganese (mg/l)			5.0
Total Suspended Solids			90.00
Total Settleable Solids (mL/L)			0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

## 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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E52-240. Wild Acres Lakes Property and Homeowners Association**, RR 1, Box 500, Dingmans Ferry, PA 18328, in Delaware Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove four existing crossings and 3 existing waterlines on a UNT to Hornbeck's Creek (HQ-CWF, MF) and to construct and maintain:

1. A 42-foot long precast concrete box culvert with concrete wing walls that has a 20-foot wide by 4-foot high clear water-way opening;
2. A 56-foot long precast concrete box culvert with concrete wing walls that has a 13-foot wide by 4-foot high clear water-way opening;
3. A 48-foot long precast concrete box culvert with concrete wing walls that has a 13-foot wide by 4-foot high clear water-way opening;
4. An 8", 6" and 4" DI concrete encased water line;
5. Riprap along the bed of the watercourse for approximately 425 linear feet;
6. Various watercourse embankment modifications.

The project is located at the intersection of Wild Acres Drive and Panther Path (Lake Maskenozha, PA Quadrangle, Latitude: 41°12'21"; Longitude: -74°56'44").

**E58-303. Buckeye Partners, L.P.**, One Greenway Plaza, Suite 600, Houston, TX 77046-0100, in Silver Lake Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To stabilize and maintain a 50-foot reach of Silver Creek (CWF, MF) with articulating grout mats for the purpose of protecting an existing exposed 14-inch and 16-inch diameter petroleum pipeline. The project is located at the intersection of State Route 167 and Silver Creek Road (Laurel Lake, PA Quadrangle, Latitude: 41°54'34"; Longitude: -75°55'6").

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**E10-485, Slippery Rock Borough**, 162 Elm Street, Slippery Rock, PA 16057. Slippery Rock Volunteer Fire & Rescue Team Facility Expansion, in Slippery Rock Borough, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 41o, 03', 45"; W: 80o, 03', 31").

To permanently fill 0.1 acre of wetland (0.072 ac PEM, 0.034 ac PSS), temporarily impact 0.01 acre wetland (PEM), and to impact a total of 200 linear feet of a tributary of Slippery Rock Creek (CWF), having a contributory drainage of less than 100 acres, associated with the construction of a 60" diameter by 85' long culvert, grading activities and a stormwater outfall, for the expansion of the Slippery Rock VFD facility located southwest of the intersection of New Castle and Elm Street's. Mitigation includes the construction of 0.17 acre of on-site wetland (PEM/PSS) and stream restoration activities within an 85 linear foot reach of UNT Slippery Rock



Creek located on-site. Stream restoration activities include the creation of stream bank layback areas, the construction and maintenance of instream structures and the planting of riparian buffer vegetation.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6860*

**E10-08-002, Mountain Gathering LLC**, 810 Houston Street, Fort Worth, TX 76102, Clearfield & Summit Townships, **Butler County**, ACOE Pittsburgh District.

The applicant proposes the installation of approximately 2.3 miles of 12 inch diameter natural gas pipeline. The pipeline project starts at the Cypher well pad and terminates at the Welter pipeline in Butler County, PA. The project will result in 125 linear feet of temporary stream impacts, 0.03 acre of temporary wetland impacts & 0.08 acre of permanent wetland impacts.

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

1 One (1) temporary road crossing with proposed ROW of a palustrine forested (PFO) wetland resulting in 943 ft<sup>2</sup> of impacts. (East Butler, PA Quadrangle) 40°52'55.94"N -79°45'05.64"W

2 One (1) 12 inch diameter natural gas gathering line & proposed ROW crossing an unnamed tributary (UNT) to Little Buffalo Run (HQ-TSF) & associated PFO & PEM wetlands using open cut technique. Impacts include 30 linear feet of stream and 87.75 ft<sup>2</sup> of wetlands. (East Butler, PA Quadrangle) 40°52'56.28"N -79°45'09.53"W

3 One (1) 12 inch diameter natural gas gathering line & proposed ROW of a palustrine forested (PFO) wetland using open trench technique resulting in 157.5 ft<sup>2</sup> of impacts. (East Butler, PA Quadrangle) 40°52'56.27"N -79°45'10.26"W

4 One (1) 12 inch diameter natural gas gathering line & proposed ROW of a palustrine emergent (PEM) wetland using open trench technique resulting in 706.4 ft<sup>2</sup> of impacts. (East Butler, PA Quadrangle) 40°52'56.20"N -79°45'12.67"W

5 One (1) 12 inch diameter natural gas gathering line & proposed ROW of a palustrine emergent (PEM) wetland using open trench technique resulting in 162 ft<sup>2</sup> of impacts. (East Butler, PA Quadrangle) 40°52'54.46"N -79°45'43.71"W

6 One (1) 12 inch diameter natural gas gathering line & proposed ROW crossing an unnamed tributary (UNT) to Little Buffalo Run (HQ-TSF) & associated PFO wetlands using open cut technique. Impacts include 20 linear feet of stream and 2,367 ft<sup>2</sup> of wetlands. (East Butler, PA Quadrangle) 40°52'55.42"N -79°45'47.54"W

7 One (1) 12 inch diameter natural gas gathering line with proposed ROW using open cut technique and one (1) temporary road crossing of an unnamed tributary (UNT) to Little Buffalo Run (HQ-TSF). Impacts include 20 linear feet of stream. (East Butler, PA Quadrangle) 40°53'00.10"N -79°46'09.42"W

8 One (1) 12 inch diameter natural gas gathering line with proposed ROW using open cut technique and one (1) temporary road crossing of an unnamed tributary (UNT) to Bonnie Brook (WWF). Impacts include 20 linear feet of stream. (East Butler, PA Quadrangle) 40°52'59.86"N -79°46'31.11"W

9 One (1) 12 inch diameter natural gas gathering line with proposed ROW using open cut technique and one (1) temporary road crossing of an unnamed tributary (UNT) to Bonnie Brook (WWF) & associated PEM & PSS wetlands. Impacts include 23 linear feet of stream and 722 ft<sup>2</sup> of wetlands. (East Butler, PA Quadrangle) 40°52'58.68"N -79°46'51.36"W

10 One (1) 12 inch diameter natural gas gathering line with proposed ROW using open cut technique and one (1) temporary road crossing of an unnamed tributary (UNT) to Bonnie Brook (WWF). Impacts include 20 linear feet of streams. (East Butler, PA Quadrangle) 40°52'59.86"N -79°46'31.11"W

**E24-08-001, Seneca Resources Corporation**, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237-7098. Clermont Pad H to Pad NF-A Pipeline, in Jones Township, **Elk County**, Army Corps of Engineers Pittsburgh District (Glen Hazel, Wildwood Fire Tower, PA Quadrangle N: 41° 34' 38"; W: -78° 28' 53").

The applicant proposes to construct and maintain approximately 2.7 miles of one (1) 24" diameter natural gas pipeline, one (1) 12" natural gas pipeline and two (2) 16" diameter waterlines, as well as one permanent access road located in Jones Township, Elk County. The proposed pipeline will connect permitted gas well pad, Pad H to an existing compressor facility. The water obstructions and encroachments for the project are described below:

To construct and maintain:

Impact No.	Description of Impact	Latitude / Longitude
1	One (1) 24" diameter natural gas pipeline, one (1) 12" natural gas pipeline and two (2) 16" diameter waterlines with associated right-of-way and a temporary road crossing to cross Naval Hallow (EV) having 144 linear feet of temporary stream impact.	41° 35' 01.34" -78° 28' 24.43"
2	One (1) 24" diameter natural gas pipeline, one (1) 12" natural gas pipeline and two (2) 16" diameter waterlines with associated right-of-way and a temporary road crossing to cross a UNT Naval Hallow (EV) having 163 linear feet of temporary stream impact.	41° 34' 59.25" -78° 28' 24.41"
3	One (1) 24" diameter natural gas pipeline, one (1) 12" natural gas pipeline and two (2) 16" diameter waterlines with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland, having .09 acre of temporary wetland impact.	41° 34' 58.14" -78° 28' 23.52"
4	One (1) 24" diameter natural gas pipeline, one (1) 12" natural gas pipeline and two (2) 16" diameter waterlines with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland, having .02 acre of temporary wetland impact.	41° 34' 53.89" -78° 28' 23.10"

The project will result in a total of 307 linear feet of temporary stream impacts and .11 acre of temporary EV wetland impacts from utility line and road crossings.

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E0829-092: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 151 linear feet of Towanda Creek (TSF, MF) and impacting 4,145 square feet of an adjacent Palustrine Emergent Wetland (Canton, PA Quadrangle, Latitude: 41°39'26", Longitude: -76°48'48");

2. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 84 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°39'24", Longitude: -76°48'53");

3. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 81 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°39'27", Longitude: -76°49'11");

4. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,392 square feet of a Palustrine Emergent Wetland (Canton, PA Quadrangle, Latitude: 41°39'23", Longitude: -76°49'28");

5. a 6 inch diameter natural gas line impacting 10 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) and impacting 2 square feet of an adjacent Palustrine Emergent Wetland (Canton, PA Quadrangle, Latitude: 41°39'21", Longitude: -76°49'30");

6. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 16,452 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Canton, PA Quadrangle, Latitude: 41°39'17", Longitude: -76°49'30");

7. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 54 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°38'47", Longitude: -76°49'41");

8. a temporary timber mat bridge impacting 270 square feet of a Palustrine Scrub-Shrub Wetland (Canton, PA Quadrangle, Latitude: 41°38'46", Longitude: -76°49'45").

The project will result in 380 linear feet or 6,903 square feet of temporary stream impacts and impacts 22,261 square feet (0.51 acre) of temporary PEM and PSS wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Canton Township, Bradford County.

**E5829-067. Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Gibson Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary timber bridge crossing impacting 15 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 47' 32" Lat., W -75° 38' 26" Long.),

2) a 10-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 18 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 47' 05" Lat., W -75° 38' 45" Long.),

3) a 10-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 96 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 47' 01" Lat., W -75° 38' 49" Long.),

4) a 10-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 71 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 46' 55" Lat., W -75° 38' 54" Long.),

5) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 6-15 inch diameter culverts impacting 69 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 46' 48" Lat., W -75° 38' 58" Long.),

6) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 7-15 inch diameter culverts impacting 84 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 46' 47" Lat., W -75° 39' 00" Long.),

7) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 6-15 inch diameter culverts impacting 83 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 46' 47" Lat., W -75° 39' 00" Long.),

8) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 8-15 inch diameter culverts impacting 82 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 46' 46" Lat., W -75° 39' 02" Long.),

9) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 3-15 inch diameter culverts impacting 81 linear feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; N 41° 46' 46" Lat., W -75° 39' 07" Long.),

10) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 7-15 inch diameter culverts impacting 567 square feet (0.01 acre) of PFO wetlands (Harford, PA Quadrangle; N 41° 46' 47" Lat., W -75° 39' 00" Long.),

11) a 10-inch diameter natural gas pipeline and permanent access road crossing consisting of 3-15 inch diameter culverts impacting 5,078 square feet (0.12 acre) of PFO wetlands (Harford, PA Quadrangle; N 41° 46' 46" Lat., W -75° 39' 07" Long.).

The project consists of constructing approximately 8,148 linear feet (1.54 mile) of 10" natural gas gathering line, within a maintained 75 foot permanent right of way located in Gibson Township, Susquehanna County. The project will result in 392 linear feet of temporary stream impacts, 207 linear feet of permanent stream impacts, and 0.13 acre of permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market

**E5829-048 Amendment #1. Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Gibson Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16-inch natural gas pipeline and timber bridge crossing impacting 37 linear feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 07" Lat., W -75° 37' 35" Long.),

2) a 16-inch natural gas pipeline and timber bridge crossing impacting 90 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 07" Lat., W -75° 37' 35" Long.),

3) a 16-inch natural gas pipeline crossing impacting 35 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 29" Long.),

4) a 16-inch natural gas pipeline crossing impacting 41 lineal feet of Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 27" Long.),

5) a 16-inch natural gas pipeline crossing impacting 101 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 24" Long.),

6) a 16-inch natural gas pipeline and timber mats impacting 32,234 square feet (0.74 acre) of a PSS wetland (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 31" Long.),

7) a 16-inch natural gas pipeline and timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 17" Lat., W -75° 36' 37" Long.),

8) a 16-inch natural gas pipeline and timber bridge crossing impacting 78 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 50" Lat., W -75° 36' 00" Long.),

9) a 16-inch natural gas pipeline and timber bridge crossing impacting 108 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 55" Lat., W -75° 35' 54" Long.),

10) a 16-inch natural gas pipeline and timber bridge crossing impacting 89 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 58" Lat., W -75° 35' 57" Long.),

11) a 16-inch natural gas pipeline and timber bridge crossing impacting 81 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 09" Lat., W -75° 35' 54" Long.),

12) a 16-inch natural gas pipeline and timber bridge crossing impacting 50 lineal feet of Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 11" Long.),

13) a 16-inch natural gas pipeline and timber bridge crossing impacting 81 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 08" Long.),

14) a 16-inch natural gas pipeline and timber bridge crossing impacting 59 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 06" Long.),

15) a 16-inch natural gas pipeline and timber mat crossing impacting 2,178 square feet (0.05 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 46' 55" Lat., W -75° 35' 54" Long.),

16) a timber mat crossing impacting 871 square feet (0.02 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 46' 59" Lat., W -75° 35' 58" Long.),

17) a 16-inch natural gas pipeline and timber mat crossing impacting 16,117 square feet (0.37 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 47' 33" Lat., W -75° 35' 37" Long.),

18) a 16-inch natural gas pipeline and timber mat crossing impacting 871 square feet (0.02 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 11" Long.),

19) a 16-inch natural gas pipeline and timber mat crossing impacting 14,810 square feet (0.34 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 07" Long.).

The project consists of constructing approximately 4.5 miles of 16" natural gas gathering line from the Reilly J. well pad routed to the Southwest to the Davis pipeline in Gibson Township, Susquehanna County. Amendment #1 has been submitted to modify the permit for crossings 1 through 6 from the horizontal directional drill method to an open cut method of pipeline installation. The project impacts include 901 lineal feet of stream impacts, 0.46 acre of temporary wetland impacts, and 1.08 acre of permanent wetland conversion, for conveyance of Marcellus Shale natural gas to market.

## 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: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0063819 (Industrial Waste)	Lafayette College College Avenue Easton, PA 18042	Northampton County Easton City	Bushkill Creek (1-F)	Y

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0209571 (SRSTP)	Romain Dorman Jr Sewer System 1665 Johnstown Road Mifflinburg, PA 17844	Union County West Buffalo Township	Unnamed Tributary to North Branch Buffalo Creek (10-C)	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0103047 (Sewage)	Laughlin Builders SFTF 8333 Edinboro Road, Erie, PA 16509-4265	Erie County McKean Township	Unnamed Tributary to the Elk Creek (15)	Y

### II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

**NPDES Permit No. PA0232483**, Sewage, SIC Code 4952, **Christoff Mitchell Petro Inc.**, 2719 Walton Street, Philipsburg, PA 16866.

This proposed facility is located in Decatur Township, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. 1590416**, Sewage, Renewal, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester Springs, PA 19425.

This proposed facility is located in Upper Uwchlan Township, **Chester County**.

Description of Action/Activity: Request for renewal of operation of a sewage treatment plant with a large volume on-lot disposal system.



**WQM Permit No. 1503401**, Sewage, Amendment, **Easttown Township Municipal Authority**, 566 Beaumont Road, Devon, PA 19333.

This proposed facility is located in Easttown Township, **Chester County**.

Description of Action/Activity: Approval to upgrade an existing pump station to comply with a CAP and CMP. Additional capacity to deal with wet weather.

**WQM Permit No. WQG02231401**, Sewage, **Thornbury Township**, 6 Township Drive, Cheyney, PA 19319.

This proposed facility is located Thornbury Township, **Delaware County**.

Description of Action/Activity: Construction of a public sewers to serve existing properties.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 3913406**, SIC Code 4952, **Lehigh County Authority**, PO Box 3348, Allentown, PA 18106-0348.

This proposed facility is located in North Whitehall Township, **Lehigh County**.

Description of Proposed Action/Activity: Replacement of the existing Wynnewood Terrace primary pump station and the force main that discharges into the existing wastewater treatment facility.

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

**WQM Permit No. 3898404 Amendment No. 1**, Sewerage, **South Londonderry Township Municipal Authority**, PO Box 3, Campbelltown, PA 17010.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Amendment approving the construction of sewage facilities consisting of a mechanical fine screen to be located upstream of the existing treatment plant's headworks building. The unit will include rotating assembly of screenings perforations (3 mm), channel frame, auger drive assembly, spray wash system, screen cleaning brush, and guards. The screen will be hydraulically rated for flows of 1.00 mgd.

**WQM Permit No. 3495201 Amendment No. 1**, Industrial Waste, **Empire Kosher Poultry Inc.**, 247 Empire Drive, Mifflintown, PA 17049.

This proposed facility is located in Walker Township, **Juniata County**.

Description of Proposed Action/Activity: Amendment approving the construction, modification and operation of industrial wastewater facilities consisting of conversion of the two existing circular aeration tanks to provide 4-stage Bardenpho biological nutrient removal process; construction of a new cascade for re-aeration; installation of UV system to replace the existing chlorine unit; installation of chemical storage and feed systems; construction of a new nitrate recycle pump station and modifications to the existing waste activate sludge pump station and the return activated sludge pump station; conversion of an existing clarifier to Waste Sludge Storage Tank and construction of an additional waste activate sludge pump station.

*Northcentral Region: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

**WQM Permit No. 0801401**, Sewage, SIC Code 4952, **Canton Borough Authority Bradford County**, PO Box 237, Canton, PA 17724.

This existing facility is located in Canton Borough, **Bradford County**.

Description of Proposed Action/Activity: This permit is for wastewater treatment plant upgrades with enhanced treatment capabilities. The upgraded plant will consist of an influent screening system, three raw sewage pumps, grit removal and handling facilities, two sequencing batch reactor basins, a post-equalization tank, three ultraviolet light disinfection units, two converted aerobic digesters, one existing aerated sludge holding tank, a rotary fan press, a septage receiving facility and a utility water system. Facility annual average and design hydraulic capacity are unchanged at 0.325 MGD and 0.390 MGD, respectively. Design organic capacity will increase from 633 to 980 lbs/day.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**WQM Permit No. WQG01251320**, Sewage, **Michael L. Stempka**, 10224 Oliver Road, McKean, PA 16426.

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

**WQM Permit No. WQG01251321**, Sewage, **Robert W. Kazmaier**, 9635 Sampson Road, Erie, PA 16509.

This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

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#### **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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*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, Section Chief, Telephone 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI032111013 (Issued)	Lewis Martin 489 Big Springs Road Newville, PA 17241	Cumberland	West Pennsboro Township	Big Spring Creek (HQ-CWF)

*Northcentral Region: Waterways & Wetlands 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>
PAI041403017(3) Phase 41	Penn State Univ Office of Physical Plant 101P Physical Plant Bldg University Park PA 16802	Centre	State College Borough	Thompson Run HQ-CWF

*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>
PAI050212003	Edgewater Properties, LP 3875 Old William Penn Highway Murrysville, PA 15668	Allegheny	Oakmont Borough	Plum Creek (WWF)
PAI055613003	Hidden Valley Resort One Craighead Drive Hidden Valley, PA 15502	Somerset	Jefferson Township	Kooser Run (HQ-CWF)
PAI056313005	South Strabane Township 550 Washington Road Washington, PA 15301	Washington	South Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)

## VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
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 (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-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	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG02**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*Findlay Township  
Allegheny County

PAG02-1002-14-001

BAMR  
P. O. Box 8461  
Harrisburg, PA 17105-8461Un-Named  
Tributaries (2, TSF)  
to Un-Named  
Tributary (TSF) to  
Montour Run (TSF)  
to Ohio River  
(WWF) [Ohio River  
Basin (80), Upper  
Ohio Sub-basin (20),  
Montour Run  
Watershed (G)].BAMR  
P. O. Box 8461  
Harrisburg, PA  
17105-8461  
717-787-4973*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*Benner Township  
Centre County

PAG02001405013R(1)

Fisherman's Paradise LLC  
2121 Old Gatesburg Rd Ste 200  
State College PA 16801UNT to Spring  
Creek  
CWFCentre County  
Conservation  
District  
414 Holmes Avenue,  
Suite 4  
Bellefonte, PA 16823  
(814) 355-6817College Township  
State College  
Borough  
Centre CountyPAG02001412015  
Phase 51Penn State Univ  
Office of Physical Plant  
101P Physical Plant Bldg  
University Park PA 16802Big Hollow  
CWFCentre County  
Conservation  
District  
414 Holmes Avenue,  
Suite 4  
Bellefonte, PA 16823  
(814) 355-6817Spring Township  
Centre County

PAG02001414001

Graymont PA Inc  
965 E College Ave  
Pleasant Gap PA 16823UNT to Spring  
Creek  
CWF, MFCentre County  
Conservation  
District  
414 Holmes Avenue,  
Suite 4  
Bellefonte, PA 16823  
(814) 355-6817Lawrence Township  
Clearfield County

PAG02001709007(1)

Bash Contracting  
Pat Bergum  
189 UFS Rd  
Clearfield PA 16830Clearfield Creek  
WWF  
Roaring Run  
CWFClearfield County  
Conservation  
District  
650 Leonard Street  
Clearfield, PA 16830  
(814) 765-2629Houtzdale Borough  
Clearfield County

PAG02001713014

Midwest XV LLC  
Peter Oleszczuk  
403 Oak St  
Spring Lake MI 49456Beaver Run  
CWFClearfield County  
Conservation  
District  
650 Leonard Street  
Clearfield, PA 16830  
(814) 765-2629Main Township  
Columbia County

PAG02001913010

Ronnie Rhoads  
21 Hidden Hollow Dr  
Bloomsburg PA 17815UNT to Catawissa  
Creek  
CWF, MFColumbia County  
Conservation  
District  
702 Sawmill Road  
Suite 204  
Bloomsburg, PA  
17815  
(570) 784-1310,  
X 102

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Mahoning Township  
Montour County

PAG02004713005

Hawkins Realty LLC  
101 Deihl Rd  
Bloomsburg PA 17815

Trib to Sechler Run  
CWF

Montour County  
Conservation  
District  
112 Woodbine Ln  
Ste 2  
Danville PA 17821  
Phone: (570)  
271-1140

Kelly Township  
Union County

PAG02006014002

Levi Beachy  
2076 Little Mexico Rd  
Winfield PA 17889

UNT to  
Susquehanna River  
WWF

Union County  
Conservation  
District  
Union County  
Government Center  
155 N 15th St  
Lewisburg PA 17837  
(570) 524-3860

Kelly Township  
Union County

PAG02006014003

Roger Brown  
3043 Church Rd  
Mifflinburg PA 17844

UNT to  
Susquehanna River  
WWF

Union County  
Conservation  
District  
Union County  
Government Center  
155 N 15th St  
Lewisburg PA 17837  
(570) 524-3860

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Archbald Borough  
Lackawanna County

PAG02003513018

Dale and Dallas Krapf  
Joint Venture  
1020 East Jermyn Road  
Archbald, PA 18403

UNT to Lackawanna  
River  
(CWF, MF)

Lackawanna County  
Conservation District  
570-392-3086

Jessup Borough  
Lackawanna County

PAG02003513025

Scranton Lackawanna  
Industrial Building Company  
P. O. Box 431  
222 Mulberry Street  
Scranton, PA 18501

Grassy Island Creek  
(Below 1100 ft.  
Contour Line)  
(CWF, MF)

Lackawanna County  
Conservation District  
570-392-3086

Whitehall Township  
Lehigh County

PAG02003912017

Steven Kolbe  
Coplay Aggregates, Inc.  
P. O. Box 143  
Orefield, PA 18069

Coplay Creek  
(CWF, MF)

Lehigh County  
Conservation District  
610-391-9583

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Muhlenberg  
Township,  
Berks County

PAG02000613058  
(Issued)

M R Inc  
40 Kim Winona Court  
Fleetwood, PA 19522

Laurel Run  
(WWF)

Berks County  
Conservation Dist.  
1238 County Welfare  
Rd, Ste 200  
Leesport, PA  
19533-9710  
610.372.4657,  
Ext. 142



<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>
City of Reading, Berks County	PAG02000611029R (Issued)	Ralph Johnson, City of Reading 815 Washington Street Reading, PA 19601	Angelica Creek (CWF), Schuylkill River (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Muhlenberg Township, Berks County	PAG02000611036R (Issued)	Frank Sabatucci Re/Max Reading 1290 Broadcasting Road Wyomissing, PA 19610	Laurel Run (WWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Lower Paxton Township, Dauphin County	PAG0200213052 (Issued)	Arlington Limited Partnership 805 Sir Thomas Court Harrisburg, PA 17109	Slotznick Run (CWR-MF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Gratz Borough, Dauphin County	PAG020022130131 (Issued)	Steven K. Kauffman 802 Ash Street Spring Glen, PA 17989	Wiconisco Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Township, Dauphin County	PAG02002212022(1) (Issued)	Commonwealth of PA 18th & Herr Streets Harrisburg, PA 17125	Paxton Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Montgomery Township, Franklin County	PAG02002813018 (Issued)	Apple Jack Estates Ed Beck 10658 Church Hill Road Mercersburg, PA 17236	West Branch of Conococheague Creek (TSF, MF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Guilford Township, Franklin County	PAG02002813042 (Issued)	Martins Famous Pastries Kevin Franzoni 1000 Potato Roll Lane Chambersburg, PA 17202	Conococheague Creek (WWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Antrim Township, Franklin County	PAG02002809008R (Issued)	Brad Fulton Molly Pitcher LLC 111535 Hopewell Road Hagerstown MD 21740	UNT to Conococheague Creek (WWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499

<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>
Waynesboro Borough, Franklin County	PAG02002806066R (Issued)	Otterbein Church Richard Duesler 801 Park Street Waynesboro, PA 17268	East Branch of Antietam Creek (CWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Hamilton Township & Chambersburg Borough, Franklin County	PAG020028030501R (Issued)	Jim Hill RA Hill Inc 1364 Lincoln Way East Chambersburg, PA 17202	UNT to Conococheague Creek (CWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Lancaster Township, Lancaster County	PAG02003606113R (Issued)	Shepherd Family LP 2817 Countryside Drive Lancaster, PA 17601	Conestoga River (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township, Lancaster County	PAG02003607028R (Issued)	Artz Development LLC 2137 Embassy Drive Ste 210 Lancaster, PA 17603	UNT to Little Conestoga (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Penn Township, Lancaster County	PAG02003607079R1 (Issued)	Forino Company 555 Mountain Home Rd Sinking Spring, PA 19608	Conestoga Creek (TSF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mount Joy Borough, Lancaster County	PAG02003608089R (Issued)	Messiah Family Services 100 Mount Allen Dr Mechanicsburg, PA 17055	UNT Donegal Creek (CWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Lancaster City, Lancaster County	PAG020036111051 (Issued)	Conestoga Plaza LP 453 S Lime St Lancaster, PA 17602	Conestoga River (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mount Joy Township, Lancaster County	PAG02003613049 (Issued)	Elizabethtown Reg'l Sewer Auth 5 Municipal Dr Elizabethtown, PA 17022	UNT Donegal Creek (CWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Warwick Township, Lancaster County	PAG02003613067 (Issued)	Rock Lititz Clair Global, One Ellen Ave Lititz, PA 17543	Santo Domingo Creek (WWF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

<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>
Manor Township, Lancaster County	PAG020036130691 (Issued)	Michael Rohrer 124 Charlestown Rd Washington Boro, PA 17582	UNT Stamans Run (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Hempfield Township, Lancaster County	PAG02003613070 (Issued)	Lime Spring Properties, LP 903 Wheatland Ave Lancaster, PA 17603	Brubaker Run (WWF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Hempfield Township, Lancaster County	PAG02003613081 (Issued)	Melvin R Weaver 1399 Pinkerton RD Mount Joy, PA 17552	UNT Little Conestoga Creek (TSF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Warwick Township, Lancaster County	PAG02003613082 (Issued)	C & D Partners 112 Fairland Rd Lititz, PA 17543	Lititz Run (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Millersville Borough, Lancaster County	PAG02003613083 (Issued)	Student Lodging Inc 21 George St Millersville PA 17551	UNT Conestoga River (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Hempfield Township, Lancaster County	PAG02003613085 (Issued)	CYRACO LLC 6400 W 105TH St Bloomington, MN 554382554	Brubaker Run (WWF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
West Hempfield Township, Lancaster County	PAG02003613091 (Issued)	Glenn Bushong 50 Meadow Rd Columbia, PA 17512	UNT Strickler Run (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Elizabeth Township, Lancaster County	PAG02003614001 (Issued)	PA Fish & Boat Commission 450 Robinson Lane Bellefonte, PA 16826	Hammer Creek (WWF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Harmony Township Beaver County	PAG02000413016	Wright Chevrolet of Ambridge 11015 Perry Highway Wexford, PA 15090	Ohio River (WWF-N)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Industry Borough Beaver County	PAG02000413022	Filter Fab Manufacturing Corporation 3790 Green Garden Road Aliquippa, PA 15001	Ohio River (WWF-N)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701

*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name and  
Address**Receiving  
Water / Use**Contact Office and  
Phone No.*Chest Township,  
Elder Township  
Cambria County  
Chest Township and  
Westover Borough  
Clearfield County

PAG02001113010

Seldom Seen Wind, LLC.  
Pattern Energy Group, LP  
Pier 1, Suite 3  
San Francisco, CA 94111Chest Creek (CWF)  
and  
Rock Run (CWF)Cambria County CD  
401 Candlelight  
Drive  
Suite 229  
Ebensburg, PA 15931  
(814) 472-2120Cumberland  
Township  
Greene County

PAG02003013008

Carmichaels Area School  
District  
225 N. Vine St  
Carmichaels, PA 15320Muddy Creek  
(WWF)Greene County CD  
19 South Washington  
Street  
Waynesburg, PA  
15456  
(724) 852-5278Franklin Township  
Greene County

PAG02003013009

Greene County Industrial  
Development  
300 Evergreene Drive  
Waynesburg, PA 15370South Fork of Ten  
Mile Creek  
(WWF)Greene County CD  
19 South Washington  
Street  
Waynesburg, PA  
15456  
(724) 852-5278White Township  
Indiana County

PAG02003214001

Delaney Indiana, LLC.  
626 Water Street  
Indiana, PA 15701UNT to McCarthy  
Run  
(CWF)Indiana County CD  
625 Kolter Drive  
Suite 8  
Indiana, PA 15701  
(724) 471-4751Stonycreek Township  
Somerset County

PAG02005613009

PBS Coals, Inc.  
1576 Stoystown Road  
Friedens, PA 15541Schrock Run  
(CWF)Somerset County CD  
6024 Glades Pike  
Suite 103  
Somerset, PA 15501South Strabane  
Township  
Washington County

PAG02006313026

PennDOT Dist. 12-0  
PO Box 426  
Uniontown, PA 15401UNT to Chartiers  
Creek  
(WWF)Washington County  
CD  
2800 North Main  
Street  
Suite 105  
Washington, PA  
15301  
(724) 705-7098Peters Township  
Washington County

PAG02006313029

Ray Herrington  
166 Bebout Road  
Venetia, PA 15367UNT to Peters Creek  
(TSF)Washington County  
CD  
2800 North Main  
Street  
Suite 105  
Washington, PA  
15301  
(724) 705-7098South Strabane  
Township  
Washington County

PAG02006313035

J. Angelides Enterprises  
20 Carnegie Avenue  
Staten Island, NY 10314UNT to Chartiers  
Creek  
(WWF)Washington County  
CD  
2800 North Main  
Street  
Suite 105  
Washington, PA  
15301  
(724) 705-7098*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Adams Township  
Butler County

PAG02001011015R

PADOT District 10  
2550 Oakland Avenue  
PO Box 429  
Indiana PA 15701Breakneck Creek  
WWF; Unt  
Breakneck Creek  
WWFButler County  
Conservation  
District  
724-284-5270



*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Adams Township Butler County	PAG02001011028R	S&A Homes 2121 Old Gatesburg Road State College PA 16803	Breakneck Creek WWF	Butler County Conservation District 724-284-5270
Middlesex Township Butler County	PAG02001012010R	The Meritage Group LP c/o James C Rumbaugh 772 Pine Valley Drive Pittsburgh PA 15239	Unt Glade Run WWF	Butler County Conservation District 724-284-5270
Monroe Township Clarion County	PAG02001614001	DHOLU Hospitality Inc 3274 Timber Lane Hermitage PA 16148	Courtleys Run CWF	Clarion County Conservation District 814-297-7813
Millcreek Township Erie County	PAG02002513011	Amos K. Stoltzfus PO Box 10 Gratz PA 17030	Lake Erie WWF	Erie County Conservation District 814-825-6403
Shenango Township Lawrence County	PAG02003714001	Blackwatch Properties LLC Attn: Mr. Todd Pozzulo 1723 Perry Highway Portersville PA 16051	Unt Big Run WWF	Lawrence County Conservation District 724-652-4512

*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Lancaster County West Donegal Township	PAR603584	Mease's Auto Salvage 406 Newville Road Elizabethtown, PA 17022	UNT to Conoy Creek / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Greene Township	PAR803553	IESI PA Blue Ridge Landfill Corporation PO Box 399 Shippensburg, PA 17254-0399 IESI Blue Ridge Landfill 1660 Orchard Road Scotland, PA 17254-0399	Phillaman Run / CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Dauphin County Conewago Township	PAR213563	Parmer Metered Concrete Inc. 2981 Elizabethtown Road Suite 100 Hershey, PA 17033	Hoffer Creek / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Sadsbury Township	PAR223509	Lapp Lumber Co. 1640 Mine Road Paradise, PA 17562	Buck Run / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Reading City	PAR233550	Brentwood Industries Inc. Reading Specialty Product Group (SPG) 621 Brentwood Drive Reading, PA 19611	Schuylkill River / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-4**Northwest Region: Clean Water 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>
McKean Township Erie County	PAG041134	Michael L. Stempka 10224 Oliver Road, McKean, PA 16426	Unnamed Tributary to Lamson Run 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Greene Township Erie County	PAG041135	Robert W. Kazmaier 9635 Sampson Road, Erie, PA 16509	Unnamed Tributary to East Branch LeBoeuf Creek 16-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*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>
Gibson Township Susquehanna County	PAG102302	Williams Field Service Co. LLC Kennedy Pipeline Project 2000 Commerce Drive Park Place 2 Pittsburg, PA 15275	Unnamed Tributary to Butler Creek—4-F CWF-MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Springville Township Susquehanna County	PAG102301	Williams Field Services Company, LLC (White Compressor Station) 1212 South Abington Road Clarks Summit, PA 18411-2234	Unnamed Tributary to Pond Brook—4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

**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 and 2 Pa.C.S. §§ 501—508 and 701—704 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—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Mark Bricker Acorn Farm 14627 Lurgan Road Orrstown, PA 17244	Franklin	0, 0 acres available for manure	1,340.13	Swine	NA	Approved
Daniel Sensenig 65 Halteman Lane Lebanon, PA 17046	Lebanon	23	314.27	Swine	NA	Approved

**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**

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

**Permit No. 2313510, Public Water Supply.**

Applicant	<b>Chester Water Authority</b> 415 Welsh Street P. O. Box 467 Chester, PA 17106-7100
Township	Aston
County	<b>Delaware</b>
Type of Facility	PWS

Consulting Engineer	Gannett Flemming, Inc. P. O. Box 80791 Valley Forge, PA 19494
Permit to Construct Issued	February 4, 2014

**WATER ALLOCATIONS**

**Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth**

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200*

**WA 22-53D, Water Allocations.** The Harrisburg Authority, **Dauphin County**. The applicant is requesting the right to withdraw 13.5 million gallons per day (mgd) from Dehart Reservoir on Clarks Creek and 15.0 mgd from the Susquehanna River, both in **Dauphin County**, with a combine annual average withdrawal of 15.0 mgd. Consulting Engineer: Erin N Threet, Herbert Rowland & Grubic, Inc., Application Received: 7/6/2011.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Allegheny Township	3131 Old 6th Avenue North Duncansville PA 16635	Blair County

*Plan Description:* Approval of a revision to the official plan of Allegheny Township, Blair County. The project is known as Carson Valley Road Sewer Extensions. The plan provides for construction of a sewer extension with a total of 15,300 linear feet of gravity sewer to serve 62 existing homes and one commercial office building in the Carson Valley Road area. The proposed sewage flows are 25,700 gallons per day. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code No. is A3-07905-329-3M and the APS Id is 833121. Any permits must be obtained in the name of the municipality

## HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

### NOTICE OF PROPOSED INTERIM RESPONSE

#### Midfield VOCs HSCA Site Horsham Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1303), is proposing an interim response at the Midfield VOCs HSCA Site (Site) in Horsham Township, Montgomery County, Pennsylvania. The Site is located along portions of Midfield Drive, Park Road, and Davis Grove Road in Horsham Township.

Residential well supplies in the Site area have been impacted by one or more volatile organic compounds (VOCs). Certain well supplies in the Site area sampled by the Department have been found to contain concentrations of one or more of the following VOCs above their respective maximum contaminant levels (MCLs): 1,1-Dichloroethylene, (1,1-DCE); 1,2-Dichloroethane (1,2-DCA); tetrachloroethylene (PCE). As a temporary measure, the Department has been providing bottled water to residents with contaminants in their well water above MCLs.

In order to alleviate threats to human health posed by these contaminants, the Department has developed an Analysis of Alternatives, and proposes to implement a response action at the Site under Sections 501(a) of HSCA, 35 P. S. § 6020.501(a). Alternatives considered include:

- 1) No Further Action
- 2) Continued Delivery of Bottled Water (for a 1-year period) with Restrictions on the Use of Groundwater
- 3) Installation and Maintenance of Whole-House Filtration Systems with Restrictions on the Use of Groundwater
- 4) Extension of an Existing Public Water Line, with Restrictions on the Use of Groundwater

The Department hereby proposes Alternative 4, the extension of an existing public water line. This would include the extension of nearby mains, and construction of laterals to connect homes to the public water supply. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective due to the very close proximity of existing public water service. The water line would aim to serve both currently affected properties, as well as properties with the likelihood to become contaminated if groundwater pumping conditions were altered.

This notice is being provided pursuant to Section 506(b) of HSCA, 35 P. S. § 6020.506(b). An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. until 4 p.m. at the Department's office at 2 East Main Street, Norristown PA 19401. Those interested in examining the Administrative Record should contact Carly Baker at (484) 250-5730 to arrange for an appointment. Additional copies of the Administrative Record are available for review at the Horsham Township Library, 435 Babylon Road, Horsham, PA 19044.

The administrative record will be open for comment from February 22, 2014 until May 24, 2014. Members of

the public may submit written comments into the record during this time only, by sending them to Carly Baker at the Southeast Regional Office of the PADEP, 2 East Main Street, Norristown PA 19401, or via email to carlbaker@pa.gov.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing to take place on April 7, 2014, beginning at 7:00 p.m. at the Horsham Township Community Center, 1025 Horsham Road, Horsham, PA 19044. Anyone who would like to present formal oral comments regarding this proposed response may do so by calling DEP Community Relations Coordinator Lynda Rebarchak at (484) 250-5820 to register.

Individuals with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Lynda Rebarchak at (484) 250-5820 or through the Pennsylvania AT & T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

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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:

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

**Global Companies, LLC-Macungie Terminal**, Tank Farm & Shippers Road, Lower Macungie Township, **Lehigh County**, John Grelis, Grelis Environmental Services, LLC, has submitted a Final Report on behalf of his client, Tom Keefe, Chelsea Sandwich, Watermill Center, 800 South Street, PO Box 9161, Waltham, MA 02454-9161 concerning the remediation of soil from a discharge from unleaded gasoline due to a discharge. The intended use of the site is non-residential. A summary of the Final Report will be published in the near future in the immediate area.

**Dionicio Property**, 467 South River Street, Wilkes-Barre City, **Luzerne County**, Wes Fitchett, Curren Environmental Inc., has submitted a Final Report on behalf of his client, Michael Lomont, PennyMac Loan Services, LLC, 6101 Condor Drive, Moorpark, CA 93021, concerning the remediation of soil from #2 fuel release from an aboveground storage tank in the basement. The report was submitted to document attainment of the Residential Statewide Health Standards for soil. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. A summary of the Final Report was published in *The Times Leader* on November 5, 2013.

**Bethlehem Commerce Center Site—SI-1 Area**, City of Bethlehem, **Northampton County**, James Koval, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Final Report on behalf of his client Mr. Kerry Wrobel, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164, concerning the proposed remediation measures will include fencing off the entire site to restrict access and with portions of the site capped with an appropriate soil cover which will eliminate the potential for any long-term direct contact exposure pathways. Land use restrictions will also be placed on the site to prohibit future development and the construction of buildings and sub-grade infrastructure. The applicant proposes to remediate the site to meet the Site-Specific Standards for soil. A summary of the notice was published in *The Morning Call*, on November 9, 2013.

**Penn's Best Property**, (Newell Fuel Oil release), 7318 State Route 6, PO Box 128, Meshoppen and Washington Townships, **Wyoming County**, Martin Gilgallon, PA Tectonics, Inc., has submitted a Final Report on behalf of his clients, Patrick Heavly & Dean Mitchell (property owner representatives), Penn's Best Inc., concerning the remediation of soil due to a Newell Fuel Oil driver pumping fuel oil into the interior of the generator and pump room. The applicant proposes to remediate the site to meet the non-residential Statewide Health Standard for soil. The intended future use of the site is for non-residential purposes. A summary of the Final Report was published in *The Wyoming County Press Examiner* on January 15, 2014.

**Mount Laurel Motel**, 1039 South Church Street, Hazle Township, **Luzerne County**, Gregg Walters, MEA, Inc., has submitted a Final Report on behalf of his client, Kiran Patel, Nilkanth, Inc., 1039 South Church Street,

Hazleton, PA 18201, concerning the remediation of soil and groundwater due to a failure in a tank tightness test done in November of 2002. The applicant proposes to remediate the site to meet the non-residential Statewide Health Standards for soil and groundwater. The intended future use of the site is commercial and plans to remain a motel. A Summary of the Final Report was published in *The Standard Speaker* on January 13, 2014.

**NaPa Transportation Diesel Release**, Church Road and Lockville Road, Wright Township, **Luzerne County**, Amber Roesler have submitted a Final Report on behalf of their client, PA DOT Engineer District 4 0, 55 Keystone Industrial Park, Dunmore, PA 18512-1516, concerning the remediation of soil and groundwater found to have been impacted by diesel fuel as a result of a punctured fuel tank caused when a truck stuck a stationary object. The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standard for soil and groundwater. The intended future use of the site will remain non-residential. A summary of the Final Report was published in the *Mountaintop Eagle* on January 22, 2014.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Ephrata Marketplace**, 830 to 870 East Main Street, Ephrata, PA 17522, Ephrata Township, **Lancaster County**, Advantage Engineers LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Ephrata GF, LP, 1000 North Front Street, Suite 500, Wormleysburg, PA 17043, submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, VOCs, PAHs and Inorganics. The report is intended to document remediation of the site to meet the Residential and Nonresidential Statewide Health Standards.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**Langheim Residence**, 120 North Midway Avenue, Lower Providence Township, **Montgomery County**, Staci Cottone, J&J Environmental Services, P.O. Box 370, Blue Bell, PA 19422 on behalf of Kenneth Langheim, 120 North Midland Avenue, Norristown, PA 19403 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet Statewide Health Standard. PF766082.

**Meinstein Residence Property**, 3085 Seminole Street, City of Philadelphia, **Philadelphia County**, Paul Nachlas, P.G., Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111 on behalf of Adam Meinstein, 3085 Seminole Street, Philadelphia, PA 19118 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the site Specific Standard. PF772247

**Holland Shell**, 2887 Holland Road, Northampton Township, **Bucks County**, Dan Forest, Bristol Environmental Services, 1123 Beaver Street, Bristol, PA 19007 on behalf of ARFA Enterprise, 4350 Haddonfield Road, Suite 200, Pennsauken, NJ 08109 has submitted a 90 day Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF772610

**JB's Restaurant**, 482 West Trenton Avenue, East Falls Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038, Carl Wright, The Wright Group, P. O. Box 1908, Media, PA 19063 on behalf of Anthony Vitella, 378 Alexander Street, Princeton, NJ 08540 has submitted a Final Report remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF771772

**Maggio Residence**, 35 Signal Hill Road, Northampton Township, **Bucks County**. Thomas Hippensteal, Envirosearch Consultants, Inc., P. O. Box 940, Spring-house, PA 19477 on behalf of Vincent and Linda Maggio, 35 Signal Hill Road, Holland, PA 18966 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF 763469

**GE Static Power Site**, 512-520 Pusey Avenue, Borough of Collingdale, **Delaware County**. Michael Bedard, ARCADIS, U.S., Inc., 10 Friends Lane, Suite 200, Ardmore, PA 19003, Ed Kolodziej, General Electric Company, 640 Freedom Business Center, King of Prussia, PA 19406 on behalf of Brian Zubatvch, 217 Realty LLC, 2320 Haverford Road, Suite 200, Ardmore, PA 19003 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site groundwater and soil contaminated with tce and pce. The report is intended to document remediation of the site to meet the Site Specific Standard. PF 702666

**2413-2429 North Broad Street**, 2413-2429 North Broad Street, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, 2415 North Broad Limited Partnership, 1515 Fairmount Avenue, Philadelphia, PA 19406 has submitted a Final Report concerning remediation of site soil contaminated with used oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF769618

**300-302 MacDade Boulevard Property**, 300-302 MacDade Boulevard, Borough of Collingdale, **Delaware County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, David D. Waltz, The Bryn Mawr Trust Company, 801 Lancaster Avenue, Bryn Mawr, PA 19010 on behalf of Jon Nickel, 300-308 MacDade Blvd., LP, P. O. Box 6, Haverford PA 19041 has submitted a Remedial Investigation/Risk Assessment and Cleanup Plan concerning remediation of site soil and groundwater contaminated with pce, no. 2 fuel oil, diesel fuel, tcl and voc's. The report is intended to document remediation of the site to meet the Site Specific and Statewide Health Standard. PF760740

**Decker Residence**, 377 Sherwood Drive, Lower Makefield Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Robin Sigler, State Farm Insurance Company, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Rebecca Decker, 377 Sherwood Drive, Yardley, PA 19067 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF741016

**809 Sproul Street**, 801-911 Sproul Street, City of Chester, **Chester County**. Richard Sacks, IES Engineers, Inc. 1720 Walton Road, Blue Bell, PA 19422, Brian Crimmins, Crozer Keystone Health System, 100 West Sproul Road, Springfield, PA 19064, Robert J. Lavin, 1508 Carter Place, West Chester, PA 19382 on behalf of James Duffy, New Chester Holding, LP, 1120 Clover Lane, Glen Mills, PA 19342 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF768863

**Bartram's Trail—A**, 1627-35 South 49th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates, Inc., 211 North 13th Street, Philadelphia, PA 19107, Christopher Dougherty, Philadelphia Parks and Recreation, One Parkway Building, 1515 Arch street, 10th Floor, Philadelphia, PA 19102 on behalf of Monica Trudeau, Philadelphia Authority for Industrial Development, 2600 Centre Square West, 150 Market Street, Philadelphia, PA 19102 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil contaminated with other organics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF772459

**Rite Aid 2451**, 5214-30 Baltimore Avenue, City of Philadelphia, **Philadelphia County**. Michael Beardsley, BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Loren Aid, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Remedial Investigation/ Final Report concerning remediation of site soil and groundwater contaminated with lube oil and use motor oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF687878

**Buggy Residence**, 4750 Anaconda Road, Bensalem Township, **Bucks County**. Tom Hippensteal, P.G., Envirosearch Consultants, Inc., P. O. Box 940, Springhouse, PA 19477, Don Yonker, Phoenix Consulting, P.O. Box 29, Succasunna, NY 19460 on behalf of Ay Buggy, 4750 Anaconda Road, Bensalem, PA 19020 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF768877

## 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:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Ephrata Marketplace**, 830 to 870 East Main Street, Ephrata, PA 17522, Ephrata Township, **Lancaster County**. Advantage Engineers LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Ephrata GF, LP, 1000 North Front Street, Suite 500, Wormleysburg, PA 17043, submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, VOCs, PAHs and Inorganics to a combination of the Residential and Nonresidential Statewide Health Standards. The report was administratively incomplete and was disapproved by the Department on February 7, 2014.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Hyacinth Church Site**, 3201 Craft Place, City of Pittsburgh, **Allegheny County**. KU Resources, 22 South Linden Street, Duquesne, PA 15110 on behalf of Hyacinth Place, LLC., 12 Grandview Circle, Canonsburg, PA 15317 has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with metals, volatile organic and semi-volatile organic compounds. The Final Report demonstrated attainment of a combined residential statewide health and site specific standards for soil and groundwater and was approved by the Department on February 6, 2014.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**Moyer Residence**, 22 Harvey Lane, Willistown Township, **Chester County**. Randall Moyer, Jeremy Bolyn, Environmental Maintenance Company Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Mr. Randall Moyer and Ms. Sallie Gaynor-Moyer, 22 Harvey Lane, Malvern, PA 19355 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 21, 2013. PF763936

**501 Hannum Avenue Site**, 501 Hannum Avenue, West Chester Borough, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Dean DeFillipes, Mebert, LLC, P.O. Box 1006, Westtown, PA 19395 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with waste oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 8, 2013. PF763474

**Vengrofski Residence**, 102 Burgess Avenue, Falls Township, **Bucks County**. John Mihalich, AMEC Environmental & Infrastructure, 502 West Germantown Pike, Plymouth Meeting, PA 19462 on behalf of Ann Kelly, Executor, Frank Vengrofski Estate, 102 Burgess Avenue, Falls Township, PA 19067 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Remedial Investigation/Final Report was approved by the Department on July 11, 2013. PF733024

**701 Old Westtown Road Site**, 701 Old Westtown Road, West Goshen Township, **Chester County**. Stacie Cottone, J&J Spill Service and Supplies, P.O. Box 370, Blue Bell, PA 19422, Michal S. Welsh, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Joe Bush, 701 Old Westtown Road, LP, 200 West Lincoln Highway, Exton, PA 19341 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 30, 2013. PF759410

**Grandview Elementary**, 80 Grandview Avenue, Morrisville Borough, **Bucks County**. Christopher J. Horna, Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, Charlie McGuth, Environmental Maintenance Company, Inc., 1240 East Mermaid Lane, Glenside, PA 19038 on behalf of Paul DeAngelo, Morrisville School District, 55 West Palmer Street, Morrisville, PA 19057 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 6, 2013.

**McGonagle Property**, 320 East Circle, Bristol Borough, **Bucks County**. Gilbert J. Marshall, Marshall Geoscience, Inc., 170 East Fist Avenue, Collegeville, PA 19426 on behalf of Shawn McGonagle, 320 East Circle, Bristol, PA 19007 has submitted a Final Report concerning the remediation of site soil contaminated with no.2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 30, 2013. PF762590

**JB Venture 2 LP**, 3715-3747 Main Street, City of Philadelphia **Philadelphia County**. Harris Brody, CHMM, CH, Accredited Environmental Technologies Inc., 28 North Pennell Road, Media, PA 19063 on behalf of Scott Janzen, JB Venture 2 LP, 7805 Ardmore Avenue, Wyndmoor, PA 19038 has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with inorganics. The Remedial Investigation Report was approved by the Department on April 6, 2013. PF760459

**Williams Residence**, 2321 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Rob Fowler, EMC Insurance Company, 1610 Medical Drive, Pottstown, PA 19464 on behalf of Tracy Williams, 2321 Passyunk Avenue, Philadelphia, PA 19145 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 16, 2013. PF766150

**CVS Pharmacy**, 2132 South Street, City of Philadelphia, **Philadelphia County**. Justin Lauterbach, RT Environmental, Inc., 591 East Maiden Street, Washington, PA 15301, Christene Lee, RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of John Cogan, Pennsylvania Pharmacy, LLC, 201 South Maple Avenue, Suite 100, Ambler, PA 19002 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 20, 2013. PF770105

**Pfeifer Estate Residence**, 779 Cafferty Road, Tincum Township, **Bucks County**. Amleto A. E. Pucci, Jr. Ph. D., P.E., P. O. Box 78, Erwinna, PA 18920 on behalf of Co-executors of the Estate of Philip W. Pfeifer III, Ms. Jo Ann Rosenthal, Mr. D. Rodman Eastburn, Eastburn & Gray, P.C., 60 East Court Street, P. O. Box 1389, Doylestown, PA 18901-0137 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on January 7, 2014. PF763607

**715 State Road Property**, 715 State Road, Penn Township, **Chester County**. Jamie Kleinle, Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, ServePro, 121 Pennsylvania Avenue, Avondale, PA 19311 on behalf of Mary Anne Suiter, 357 Little Egypt Road, Elkton, MD 21921 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 8, 2014. PF771472

**Flourtown Shopping Center**, 1874 Bethlehem Pike, Springfield Township, **Montgomery County**. Christina M. Helms, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Ric Woodie, Federal realty Investment Trust, 1626 East Jefferson Street, Rockville, MD 20852 has submitted a Final Report concerning the remediation of site soil contaminated with pce, tce, and cis-1, 2, dichloromethane. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 26, 2013. PF771232

**Sunoco Inc. Philadelphia Refinery Schuylkill River Tank Farm (AO1 -7)**, City of Philadelphia, **Philadelphia County**. Colleen Costello, Langan Engineering & Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976, James Oppenheim, Colleen Costello, Langan Engineering and Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976 on behalf of Scott Baker, Sunoco, Inc., (R&M) 3144 Passyunk Avenue, PA 19145 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Remedial Investigation Report was disapproved by the Department on December 18, 2013. PF750870

**Village Center Shopping Center**, 1-29 Quakers Way, Richland Township **Bucks County**. Jim LaRegina, P.G., HRG, Inc., 369 East Pike Drive, Harrisburg, PA 17111 on behalf of Michael weave, DePaul Management Company, 1750 Walton Road, Blue Bell, PA 19422 has submitted a Final Report/Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Remedial Investigation and Final Report were approved by the Department on November 5, 2013. PF766154

**Crossing at Ambler**, South Maple Way, Borough of Ambler, **Montgomery County**. Walter Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, Ken S. Eden, RT Environmental services, 215 West Church Road, King of Prussia, PA 19406, John Zaharchuk, Ambler Crossing Development Partners, LP, 201 South Maple Avenue, Suite 100, Ambler, PA 19002 on behalf of Robert Bast, Maple Avenue Park Partners, LLP, 110 Spruce Lane, Ambler, PA 19002 has submitted a Cleanup Plan concerning the remediation of site soil contaminated with asbestos, arsenic. The Cleanup Plan was approved by the Department on July 12, 2013. PF743384

**Weinstein Residence**, 1999 Pulaski Drive, Whitpain Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Lee Weinstein, 1999 Pulaski Drive, Blue Bell, PA 19422 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 8, 2014. PF7712230

**Jarrett Dodge**, 335 South York Road, Borough of Hatboro, **Montgomery County**. Jeff Wynn, Patriot Environmental Management LLC, P. O. Box 629, Douglasville, PA 19518, Frank Jarrett, Jarrett Family Partnership, 335 South York Road, Hatboro, PA 19040 on behalf of David Little, Little Family Partnership Hatboro, L.P., 3 Little Road, Zieglerville, PA 19492 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with petroleum and motor oil. The Remedial Investigation/Final report did not demonstrate attainment of the Site Specific Standards was disapproved by the Department on January 13, 2014. PF759684

**Houdry Lab**, 1650 Hewes Avenue, Lower Chichester Township, **Delaware County**. James, H. Mulry, P.G., Mulry and Cresswell Environmental, 1679 Horseshoe Pike, Glenmoore, PA 19343 on behalf of Martin Liebhardt, P.G., Sunoco, Inc., (R&M) 10 Industrial Highway, MS4, Lester. PA 19029 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 8, 2013. PF684049



**Exelon Corporation Condensate Tank KIPC**, 990 Steel Road South, Falls Township, **Bucks County**. Colleen Costello, Langan Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976, Kathleen Mayher, United State Steel Corporation, 600 Grant Street, Pittsburg, PA 15219 on behalf of Dale Davis, Exelon Generation-Fairless Hill Generation Station, 990 Steel Road South, Fairless Hills, PA 19030 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 23, 2013. PF750863

**Pine Road/Red Lion, Open Space Area**, Red Lion/Pine Road, Lower Moreland Township **Montgomery County**. Gregory T. Rogerson, JERC Partners, XIII, L.P. 171 State Route, 173 Suite 201, Asbury NJ 08802-1365 on behalf of Gary Emmanuel, O'Brien & Gere Engineers, Inc., 301 East Germantown Pike, 3rd Floor, East Norriton, PA 19401 has submitted a Final Report concerning the remediation of site soil contaminated with other organic and cobalt. The Final report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on December 13, 2013. PF768665

**McNamee Property**, 107 Meadowbrook Lane, Brookhaven Borough or Township, **Delaware County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Paul Coppadge, Allstate Insurance, 1200 Atwater Drive, Suite 110, Malvern, PA 19355 on behalf of John McNamee, 107 Meadowbrook Lane, Brookhaven, PA 19015 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 20, 2013. PF771254

**Thalheimer Brothers, Inc.**, 5550 Whitaker Avenue, City of Philadelphia, **Philadelphia County**. Thomas Petrecz, Penn E&R, Inc., 2755 Bergey Road, Philadelphia, PA 19440 on behalf of John Thalheimer, Thalheimer Brothers, Inc. 5550 Whitaker Avenue, Philadelphia, PA 19124 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on December 20, 2013. PF752316

#### REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

**Registration Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**General Permit Application No. WMGR025SC002. Columbia Borough**, 308 Locust Street, Columbia, PA 17512

The Southcentral Regional Office, Waste Management Program received a registration application under Residual Waste General Permit No. WMGR025 for Columbia

Borough, 308 Locust Street, Columbia, PA 17512 for their compost facility located at 254 Blue Lane, Columbia, PA 17512 in Columbia Borough, **Lancaster County**. This general permit is for composting and beneficial use of pre- and post-consumer food wastes and yard wastes. This permit was issued on February 4, 2014.

Persons interested in obtaining more information about this registration may contact John Oren, P.E., Facilities Manager, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**General Permit issued under the Solid Waste Management Act; and Municipal Waste Regulations for a General Permit To Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM039-SC006. Blair County Resource Recovery Facility, Inc.**, 1356 Old 6th Avenue Road, Altoona, PA 16603, Logan Township, **Blair County**.

This Determination of Applicability under Municipal Waste General Permit No. WMGM039 is for the processing and beneficial use of post-consumer and pre-consumer asphalt shingles as an ingredient in hot-mix and cold-mix asphalt paving material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of steam or electricity. This permit was issued on February 4, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**GP5-58-016: Bluestone Pipeline Company of PA, LLC** (1429 Oliver Road, New Milford, PA 18834) on February 6, 2014, to construct and operate a Natural Gas Compressor Station at their site in Thompson Township, **Susquehanna County**.

**GP11-40-004: PPL Susquehanna, SES** (769 Salem Road, Berwick, PA 18603-0467) on February 6, 2014, to install and operate a Diesel I/C Engine(s) at their site in Salem Township, **Luzerne County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**GP4-36-03091: Ecore International** (715 Fountain Avenue, Lancaster, PA 17601) on February 7, 2014, for a burnoff oven, under GP4, at the facility in the City of Lancaster, **Lancaster County**. The general permit authorization was renewed.

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**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.**

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**01-05003A: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue, S.E., Charleston, WV 25314) on February 6, 2014, to construct a 4700 bhp natural gas-fired combustion turbine and a 530 hp natural gas-fired emergency internal combustion engine, and ancillary small natural gas-fired heating sources at their Gettysburg Compressor Station in Straban Township, **Adams County**.

**28-05003A: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue, S.E., Charleston, WV 25314) on February 6, 2014, to construct a 4700 bhp natural gas-fired combustion turbine and a 530 hp natural gas-fired emergency internal combustion engine, and ancillary small natural gas-fired heating sources at their Greencastle Compressor Station in Montgomery Township, **Franklin 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*

**04-00446F: AES Beaver Valley, LLC** (394 Frankfort Road, Monaca, PA 15061) on February 5, 2014, to allow installation and initial temporary operation of burner inserts in boilers 032 through 035 for combustion of gaseous fuels in addition to coal at their Beaver Valley Cogeneration Facility in Potter Township, **Beaver County**.

**30-00183C: EQT Gathering, LLC** (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on February 6, 2014, to install and begin temporary operation of two Caterpillar G3616LE lean burn natural gas-fired compressor engines rated at 4,735 bhp and controlled by oxidation catalysts, one enclosed flare to control two currently authorized triethylene glycol (TEG) dehydrators, four microturbine generators rated at 200 kW, and one 8,800 gallon produced fluids tank at their Jupiter Compressor Station in Morgan Township, **Greene County**.

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**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.**

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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*

**23-0009H: The Boeing Co.** (P.O. Box 16858, MS P29-14, Philadelphia, PA 19142) on February 6, 2014, for operation of (2) two aerospace paint booths in Ridley Township, **Delaware County**.

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

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

**14-00002A: Graymont (PA), Inc.** (965 E. College Ave., Pleasant Gap, PA 16823) on January 30, 2014, to extend the authorization an additional 180 days from February 19, 2014 to June 14, 2014, in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. Plan Approval 14-00002A for Kiln 6 and 7 that are at their Pleasant Gap Plant in Spring Township, **Centre County** has been extended.

**57-00005A: Appalachia Midstream Services, LLC** (PO Box 54382, Oklahoma City, OK 73154-1382) on January 30, 2014, to extend the authorization an additional 180 days from February 17, 2014 to August 16, 2014 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for their facility. Plan Approval 57-00005A for the Cherry Compressor Station that is in Cherry Township, **Sullivan County** has been extended.

**41-00025C: Lycoming County Resource Management Services** (PO Box 187, Montgomery, PA 17752) on January 21, 2014, to extend the authorization an additional 180 days to July 19, 2014 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. Plan Approval 41-00025C for the construction of Fields 11 and 12 at the landfill that is in Brady Township, **Lycoming County** has been extended.

**41-00082A: PPL Renewable Energy LLC** (Two North Ninth Street, Allentown, PA 18101) on February 4, 2014, to extend the authorization an additional 180 days to August 11, 2014 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. Plan Approval 41-00082A for the landfill gas to energy plant that is located in Brady Township, **Lycoming County** 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*

**04-00699: NGC Industries, LLC—formerly known as National Gypsum Co.** (168 Shippingport Hill Road, Shippingport, PA 15077-0346) on February 6, 2014, this Plan Approval was extended to authorize additional time for NGC to optimize the process, resolve quality issues and complete stack testing in Shippingport, **Beaver County**. Plan Approval PA-04-00699G was issued on August 20, 2010 to authorize the use of ammonium sulfate as a board hardening accelerating agent at NGC's wallboard manufacturing facility. Extension is effective February 8, 2014 and the new expiration date is August 7, 2014. This plan approval has been extended.



**04-00084B: Anchor Hocking, LLC** (400 Ninth Street, Monaca, PA 15061) on February 10, 2014, to allow continued temporary operation at the Monaca Plant in Monaca Borough, **Beaver County**. This Plan Approval authorizes an increase in the glass furnace production rate by re-commissioning supplemental gas-oxy firing and the installation of a ceramic activated dust filtration multi-pollutant control device. The new expiration date is August 13, 2014.

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

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

**37-300B: North American Forgemasters** (710 Moravia Street, New Castle, PA 16101) on February 3, 2014, effective February 28, 2014, to issue a plan approval extension for the construction of two additional forge furnaces to provide capacity during the subsequent furnace removal and the construction of six new forge furnaces which will replace six existing forge furnaces in New Castle City, **Lawrence County**. This is a State Only 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, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**28-05003: Columbia Gas Transmission LLC** (1470 Poorhouse Road, Downingtown, PA 19335) on February 4, 2014, for their Greencastle Compressor Station in Montgomery Township, **Franklin County**. The Title V permit was renewed.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**20-00123: Lord Corp.—Mechanical Products Division** (124 Grant Street, Cambridge Springs, PA 16403) on January 28, 2014, to reissue a Title V Operating Permit to operate this Fabricated Rubber Products manufacturing facility, in the Borough of Cambridge Springs, **Crawford County**. The primary emissions from this facility are in the form of VOCs from the adhesives used in the bonding of materials. The annual potential emissions from the facility are as follows: NO<sub>x</sub>—1.1 ton, SO<sub>x</sub>—0.006 ton, CO—0.92 ton, VOC—25.5 tons, PM<sub>10</sub>—0.033 ton,

Total HAPs—8.7 tons, and Individual HAPs (greater than 10 TPY)—none. An Emergency Water Tank Pump at this facility is now subject to the requirements of 40 CFR 63—Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The two boilers at this facility are now subject to the requirements of 40 CFR 63—Subpart DDDDD, National Emissions Standards for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.

Plan Approval Number 20-123E authorizing the installation of a stainless steel parts etching and passivation process (Source ID: 125—Stainless Steel Passivation Tank

Line) has been incorporated into the operating permit to account for this newly added source.

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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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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428*

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

**46-00024: McNeil Consumer Healthcare** (7050 Camp Hill Road, Fort Washington, PA 19034) on January 31, 2014, for operation of a pharmaceutical preparation plant in Whitemarsh Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The facility is a Synthetic Minor facility for Volatile Organic Compounds (VOCs), Nitrogen Oxide (NO<sub>x</sub>), and Particulate Matter (PM) emissions. The facility is an area source for Hazardous Air Pollutant (HAP) emissions. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**28-03025: Wenger's Feed Mill, Inc.** (101 W. Harrisburg Avenue, Rheems, PA 17570-0026) on January 29, 2014, for their animal feed mill in Southampton Township, **Franklin County**. The State-only permit was renewed.

**21-03048: Carlisle Small Animal Veterinary Clinic** (25 Shady Lane, Carlisle, PA 17013-1634) on January 29, 2014, for their animal crematory in Middlesex Township, **Cumberland County**. The State-only permit was renewed.

**67-05055: ConAgra Foods Enterprise Service, Inc.** (321 Taylor Avenue, Red Lion, PA 17356-2211) on January 29, 2014, for their flour milling facility in Red Lion Borough, **York County**. The State-only permit was renewed.

**07-05025: Sunoco Partners Marketing & Terminal LP** (5733 Butler Street, Pittsburgh, PA 15201-2199) on January 30, 2014, for their gasoline terminal in Allegheny Township, **Blair County**. The State-only permit was renewed.

**36-03116: Cargill Cocoa & Chocolate, Inc.** (200 Chocolate Avenue, Mount Joy, PA 17552-2000) on January 29, 2014, for their chocolate manufacturing facility in Mount Joy Borough, **Lancaster County**. The State-only permit was renewed.

**36-05107: Pepperidge Farm, Inc.** (2195 N. Reading Road, Denver, PA 17517-9112) on February 4, 2014, for their commercial bakery facility in East Cocalico Township, **Lancaster County**. The State-only permit was renewed.

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

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

**59-00007: NRG REMA, LLC** (121 Champion Way, Canonsburg, PA 15317) on February 6, 2014, State Only Operating Permit 59-00007 (renewal) for their Blossburg

Generating Station facility in Covington Township, **Tioga County**. The operating permit contains monitoring, recordkeeping and reporting conditions to demonstrate compliance with all applicable Federal and State air regulatory requirements for stationary air contaminant sources.

**41-00060: Frito Lay, Inc.** (220 North Reach Road, Williamsport, PA 17701-9101) on February 4, 2014, to issue a state only operating permit (renewal) for their facility in the City of Williamsport, **Lycoming County**. The facility's sources include several small propane and/or natural gas-fired combustion sources, corn meal storage, handling, and processing equipment, and a small emergency generator. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**63-00546: Sherwood Valve LLC** (2200 North Main Street, Washington, PA 15069) on January 23, 2014, for a State Only Operating Permit (SOOP) renewal to Sherwood to authorize the continued operation of their metal valve and pipe fitting manufacturing facility in the Chartiers Township, **Washington County**.

**63-00901: Allegheny Millwork—Lawrence Plant** (104 Commerce Blvd., Lawrence, PA 15055) on January 21, 2014, to issue a State Only Operating Permit renewal for their manufacturing laminated wood cabinets, doors, windows, bars, and running trim in Cecil Township, **Washington County**. The subject facility consists of sawing, grinding, sanding, staining, painting, and finishing of wooden parts or units. Air emission sources, exhausting to the atmosphere, consist of two spray booths, a hand-wipe booth a 750,000 Btu/hr drying oven and a 1 MM Btu/hr natural gas boiler. The saws, grinders, and sanders are controlled by a small dust collector that exhaust indoors. The facility's actual emissions for 2012 were calculated at 10.77 tons VOC, 0.63 tons HAPs, and less than 1 ton for all other criteria pollutants. The facility is limited to 24 tons per year VOC and 9 tons per year for a single HAP and 24 tons per year combined HAPs. The facility is required to maintain daily records of the volume used, mix ratio, density or specific gravity, weight percent of total volatiles, water, solids and exempt solvents and VOC content of each coating as supplied and applied. The facility is limited to 0.04 gr/dscf particulate and 500 ppm<sub>dv</sub> SO<sub>x</sub>. The proposed authorization is subject to State and Federal Regulations. The permit includes operational requirements, monitoring requirements, and recordkeeping requirements.

**63-00984: FML Terminal Logistics, LLC—84 Plant** (1492 Route 519, Eighty Four, PA 15330) on January 21, 2014, to issue a State Only Operating Permit for the operation of a sand storage facility for their oil and gas industry in North Strabane Township, **Washington County**. The subject facility consists of four sand storage silos, rail unloading, deck screen, and a 5,000 cfm dust collector. The facility has the potential to emit: 9.72 tpy PM and 7.95 tpy PM<sub>10</sub>. The facility is required to conduct a weekly survey of the facility during daylight hours

while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. The facility is also required to water all in-plant roads as needed, dependent on the weather, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto which earth or other material has been transported by trucking or earth moving equipment, or other means. Particulate matter emissions are not to exceed 0.04 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

**56-00154: George E. Mason Funeral Home** (1687 Tire Hill Road, Davidsville, PA 15928) on January 28, 2014, the Department issued a State Only Operating Permit renewal for the human crematory located in the Conemaugh Township, **Somerset County**. The subject facility consists of an All Crematory Model 1701 incinerator with a primary chamber rated at 0.716 MMBtu/hr and a secondary chamber rated at 1.2 MMBtu/hr. The facility has the potential to emit less than 1 ton per year of each criteria pollutant. Once during each cremation cycle, the permittee shall conduct a fugitive emission survey and a malodor survey around the perimeter of the facility property to ensure compliance with 25 Pa. Code §§ 123.1, 123.2, and 123.31. Records of the survey performed must be recorded. Particulate emissions shall not exceed 0.1 gr/dscf corrected to 12% carbon dioxide. The permittee shall maintain records of time and corresponding temperature during each cremation cycle when the temperature of the secondary combustion chamber is least 1600 degrees Fahrenheit; the amount of fuel used on a monthly basis; hours of operation; and cremation cycles. The temperature of the secondary (or last) chamber shall achieve at least 1600 degrees Fahrenheit during each cremation cycle. The proposed authorization is subject to State and Federal Regulations (FFFF). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

**56-00160: Keystone Lime Company / Eichorn Quarry** (1136 Christner Hollow Rd., Fort Hill, Pa 15540) on January 28, 2014, the Department issued a State Only Operating Permit renewal for the operation of a hot mix asphalt plant and limestone crushing plant located in Elk Lick and Addison Township, **Somerset County**. The subject facility consists of one hot mix batch asphalt plants rated at 300 tons per hour and a 200 ton per hour limestone crushing plant. The batch plant is limited to 480,000 tons production in any consecutive 12-month period. The site is equipped with five asphalt cement storage tanks, three crushers, three screens, stockpiles, truck loading, and haul roads. The facility has the potential to emit: 57.60 tpy CO; 6.00 tpy NO<sub>x</sub>; 12.67 tpy SO<sub>x</sub>; 1.18 tpy VOC; and 15.85 tpy PM. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.



**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.**

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**24-00145: Amphenol Thermometrics** (967 Windfall Road, Saint Marys, PA 15857-3333) on February 4, 2014, issued an administrative amendment to the State Only Operating Permit for their electronic resistor manufacturing facility in Saint Marys City, **Elk County**. The amendment incorporates the change of ownership from GE Thermometrics to Amphenol Thermometrics, the change of responsible official, and change of permit contact information.

**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 Issued*

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

**30841316. Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** to install the 1M Bleeder Shaft and Site. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306, and 307 of the Federal Water Pollution Control Act (33 USCA § 1341) and will not violate Federal and State water quality standards. Surface Acres Proposed 48.0. No Additional Discharges. The application was considered administratively complete on August 1, 2013. Application received June 14, 2013. Permit issued February 4, 2014.

**30031301 and NPDES No. PA0235610. Dana Mining Company of Pennsylvania, LLC**, (308 Dents Run Road, Morgantown, WV 26501). To revise the permit for the 4-West Mine in Perry Township, **Greene County** to add NPDES outfall #005 for discharge from sedimentation pond. Receiving Stream: Watkins Run, classified for the following use: WWF. The application was considered

administratively complete on January 2, 2013. Application received January 10, 2012. Permit issued February 3, 2014.

**26961601 and NPDES No. PA0214779. Matt Canestrone Contracting, Inc.**, (PO Box 234, Belle Vernon, PA 15012). To renew the permit for the LaBelle Site in Luzerne and East Bethlehem Townships, **Fayette and Washington Counties** and related NPDES permit. No Additional Discharges. The application was considered administratively complete on July 12, 2012. Application received December 27, 2011. Permit issued January 29, 2014.

**56841612 and NPDES No. PA0588491 and GP12-56841612-R12. Wilson Creek Energy, LLC**, (609 Georgian Place, Somerset, PA 15501). To revise the permit for the Wilson Creek Preparation Plant in Black Township, **Somerset County** and related NPDES permit to expand plant operations and modify the water handling plan. General Permit BAQ-GPA/GP12 was revised to authorize a maximum annual raw coal throughput of 2,336,000 tons. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56841612-R12. Surface Acres Proposed 26.7. Receiving Stream: Coxes Creek, classified for the following use: WWF. The application was considered administratively complete on January 16, 2013. Application received June 28, 2012. Permit issued February 5, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 56100102 and NPDES No. PA0263010. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, revision of an existing surface and auger mine to change the type of alkaline addition, the relocation of Township Road T-577 and revision of the E&S controls in Stonycreek Township, **Somerset County** affecting 448.0 acres. Receiving stream: unnamed tributary to Stonycreek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Borough. Application received: August 17, 2012. Permit Issued: January 29, 2014.

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

**63070202 and NPDES Permit No. PA0251119. BOCA Coal, Inc.** (92 McClelland Road, Canonsburg, PA 15317). Permit renewal issued for continued operation and reclamation to an existing bituminous surface mine, located in Union and South Park Townships, **Washington and Allegheny Counties**, affecting 98.9 acres. Receiving streams: unnamed tributaries A and B to Piney Fork. Application received: January 22, 2013. Permit issued: February 5, 2014.

**63120103 and NPDES Permit No. PA0252310. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Permit issued for commencement, operation and reclamation of a bituminous surface mine, located in Nottingham Township, **Washington County**, affecting 276.4 acres. Receiving streams: unnamed tributaries to Mingo Creek and Mingo Creek. Application received: July 30, 2013. Permit issued: February 6, 2014.

**GP12-63120103. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Approval for portable coal crusher authorized under General Permit BAQ-GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-63120103 for an

existing bituminous surface mine, located in Nottingham Township, **Washington County**. Application received: September 9, 2013. Permit issued: February 6, 2014.

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

**16130103 and NPDES Permit No. PA0259470. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242) Commencement, operation and restoration of a bituminous surface mine in Monroe & Porter Townships, **Clarion County**, affecting 34.0 acres. Receiving streams: Unnamed tributary to Leatherwood Creek. Application Received: September 10, 2013. Permit Issued: February 3, 2014.

*Noncoal Permits Issued*

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

**24020803. Francis Gardner** (RR 2, Box 288-F, Weedville, PA 15868). Final bond release for a small industrial minerals surface mine in Jay Township, **Elk County**. Restoration of 2.0 acres completed. Receiving streams: Unnamed tributary to Kersey Run. Application Received: January 7, 2014. Final bond release approved: February 4, 2014.

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

**08130801. Randy Johnson** (543 Whitmill Road, Wyalusing, PA 18853). Commencement, operation and restoration of a small noncoal (bluestone) operation in Herrick Township, **Bradford County** affecting 1.0 acres. Receiving stream(s): Camps Creek. Application received: March 26, 2013. Permit issued: February 5, 2014.

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

**Permit No. 58132509. Adam Wilber**, (14 Merrill Street, Hallstead, PA 18822), commencement, operation and restoration of a bluestone quarry operation Liberty Township, **Susquehanna County** affecting 7.0 acres, receiving stream: unnamed tributary to DuBoise Creek. Application received: August 12, 2013. Permit issued: February 6, 2014.

**Permit No. 58132509GP104. Adam Wilber**, (14 Merrill Street, Hallstead, PA 18822), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58132509 in Liberty Township, **Susquehanna County**, receiving stream: unnamed tributary to DuBoise Creek. Application received: August 12, 2013. Permit issued: February 6, 2014.

**Permit No. 58130301. F.S. Lopke Contracting, LLC**, (3430 SR 434, Apalachin, NY 13732), commencement, operation and restoration of a quarry operation in Harford Township, **Susquehanna County** affecting 83.0 acres, receiving streams: Martins Creek and East Branch Martins Creek. Application received: March 27, 2013. Permit issued: February 7, 2014.

**Permit No. 58130301GP104. F.S. Lopke Contracting, LLC**, (3430 SR 434, Apalachin, NY 13732), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130301 in Harford Township, **Susquehanna County**, receiving streams: Martins Creek and East Branch Martins Creek. Application received: March 27, 2013. Permit issued: February 7, 2014.

## 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.

**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.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-1650. Francois Bitz**, 1640 Pleasant Hill Road, Baden, PA 15005; Marshall Township, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to restore approximately 856 feet of various Unnamed Tributaries to Big Sewickley Creek (TSF) and to restore approximately 1.40 acre of wetlands; to operate and maintain several ponds that have impacted 0.57 acre of wetlands and have impacted 314 linear feet of several Unnamed Tributaries to Big



Sewickley Creek (TSF) for the purpose of agricultural / animal grazing. The project is located approximately 2,700.0 feet northwest from the intersection of Spang Road and Pleasant Hills Road (Baden, PA Quadrangle N: 7.2 inches; W: 2.7 inches; Latitude: 40° 39' 5"; Longitude: 80° 08' 40") in Marshall Township, Allegheny County. To compensate for the wetland impacts that will not be restored (0.57 acre) the applicant shall enhance 1.14 acre of the newly created 2.11 acres of wetlands and construct and maintain 1.4 acre of new wetlands. To compensate for the stream loss that will not be restored (314 feet) the applicant shall enhance and maintain, 852 linear feet of Unnamed Tributaries to Big Sewickley Creek (TSF) and remove an existing culvert 30' long and restore the stream channel of an Unnamed Tributary to Big Sewickley Creek.

**E02-1675. Edgewater Properties, L.P.**, 3875 Old William Penn Highway, Murrysville, PA 15668; Oakmont Borough, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to remove the existing structures to place and maintain fill and excavate on the right bank of Plum Creek (WWF) for a distance of 900 feet for the purpose of constructing the proposed Dark Hollow Recreational Facility. The project will consist of a Regulation Little League Field, Sand Volleyball Court with net, a playground, bleachers, a Regulation Soccer Field, a walking trail and a gravel parking area and is located on the south side of Dark Hollow Road, approximately 1,200.0 feet east from the intersection of Hunter Road and Fifth Avenue (New Kensington, PA Quadrangle N: 2.42 inches; W: 10.92 inches; Latitude: 40° 30' 48"; Longitude: 79° 49' 43") in Oakmont Borough, Allegheny County.

**E56-371. Somerset County Commissioners**, 300 North Center Avenue, Suite 500, Somerset, PA 15401; Ogle Township, **Somerset County**; ACOE Pittsburgh District.

Has been given consent to remove the existing T-816, single lane, 12.8 ft. width, single span bridge having a total clear span length of 43 ft, and having a minimum underclearance of 5.3 ft.; and to construct and maintain adjacent to and downstream of the existing bridge a single span, single lane, 18.4 ft. width replacement bridge and having a total clear span length of 46 ft., and having a minimum underclearance of 5.5 ft over the Clear Shade Creek (EV) with a drainage area of 17.1 square miles. In addition the project includes temporary encroachments to the stream and 0.016 acre of temporary encroachments to adjoining wetlands for construction and demolition, and encroachments associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The project is located in a extensively forested area of Ogle Township (Ogletown Quadrangle; N: 8.25"; W: 16.75"; Latitude 40° 10' 14" and Longitude -78° 44' 47") in Somerset County.

**E65-963. Westmoreland/Fayette Municipal Sewage Authority**, 170 Mill Lane, Scottdale, PA 15683; East Huntingdon Township, **Westmoreland County**; ACOE Pittsburgh District.

Has been given consent to place and maintain fill within 0.96 acre of floodway and 2.70 acre of floodway fringe along Jacobs Creek (WWF) for the purpose of expanding an existing sewer treatment facility. The project

is located on Mill Lane (Connellsville PA Quadrangle; N: 15.2"; W: 13.5"; Latitude: 40° 5' 1.5"; Longitude: -79° 35' 48.8") in East Huntingdon Township, Westmoreland County.

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.*

**E16-144, PA Department of Transportation District 10-0**, P. O. Box 429, Indiana, PA 15701 in Licking Township, **Clarion County**, ACOE Pittsburgh District to remove the existing three-span steel multi-girder bridge and to construct and maintain a three-span steel multi-girder bridge with normal clear spans of 96.5 ft, 141.0 ft and 96.5 ft, an out-to-out width of 33.4 ft and a minimum underclearance of 28 feet over Clarion River (WWF) on SR 0058 Segment 0190 Offset 1135 approximately 1/2 mile north of Callensburg, PA. The project will utilize a temporary causeway for construction and will relocate 128 feet of a small unnamed tributary to the Clarion River that flows along the roadway approach. (Knox, PA Quadrangle N: 41°, 07', 45"; W: -79°, 33', 17").

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E43-08-004, Halcon Field Service LLC**, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, Sugar Grove and Salem Townships, **Mercer County**, ACOE Pittsburgh District.

The applicant proposes the installation of approximately 8 miles of 16 inch diameter natural gas pipeline starting at the Stevenson well pad and terminating at the Gallagher well pad in Greene, Sugar Grove, and Salem Townships, Mercer County, PA. The project will utilize new right-of-ways (ROWs), and existing public and private roads for construction, operations and maintenance activities. Thirteen palustrine emergent (PEM) wetlands will be impacted by temporary surface disturbance via open-cut construction or timber matting. One PSS/PFO wetland will be permanently impacted by conversion to PSS. However, the area of impact is 0.045-acre, which qualifies as de minimus therefore no mitigation for the project will be necessary. The project will result in 507 linear feet of temporary stream impacts and 0.77 acre of temporary wetland impacts.

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

1 One (1) 16 inch diameter natural gas gathering line crossing two (2) unnamed tributaries (UNT's) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville East & West, PA Quadrangles) 41°27'41.869"N -80°24'41.876"W & 41°27'42.313"N -80°24'41.992"W

2 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet of UNT and 0.04 acre of floodway. (Greenville East & West, PA Quadrangles) 41°27'47.863"N -80°24'43.444"W

3 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Little Shenango River (TSF) using timber mat & open cut technique and impacting 86 linear feet of UNT and 0.18 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'36.697"N -80°23'5.420"W

4 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Little Shenango River (TSF) using timber mat & open cut technique and impacting 62 linear feet of UNT and 0.2 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'33.200"N -80°22'46.897"W

5 One (1) 16 inch diameter natural gas gathering line crossing Crooked Creek (TSF) using Horizontal Directional Drill (HDD) technique and impacting 45 linear feet. (Greenville East & West, PA Quadrangle) 41°27'18.750"N -80°21'43.46"W

6 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Crooked Creek (TSF) using timber mat & open cut technique and impacting 42 linear feet of UNT and 0.08 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'24.315"N -80°20'30.091"W

7 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Crooked Creek (TSF) using timber mat & open cut technique and impacting 106 linear feet of UNT and 0.2 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'31.593"N -80°20'11.203"W

8 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Crooked Creek (TSF) using timber mat & open cut technique and impacting 65 linear feet of UNT and 0.3 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'31.490"N -80°20'6.584"W

9 One (1) 16 inch diameter natural gas gathering line crossing a pond using Horizontal Directional Drill (HDD) technique and impacting 0 acres. (Greenville East & West, PA Quadrangle) 41°27'34.588"N -80°19'40.512"W

10 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Little Shenango River (TSF) using timber mat & open cut technique and impacting 0 linear feet of UNT and 0.1 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'30.332"N -80°19'25.223"W

11 One (1) 16 inch diameter natural gas gathering line crossing Bluff Run (TSF) using temporary bridge & open cut technique and impacting 41 linear feet of UNT and 0.11 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'36.527"N -80°18'58.455"W

12 One (1) 16 inch diameter natural gas gathering line crossing Bluff Run (TSF) using timber mat & open cut technique and impacting 58 linear feet of UNT and 0.21 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'58.269"N -80°17'52.903"W

13 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Bluff Run (TSF) using timber mat & open cut technique and impacting 47 linear feet of UNT and 0.28 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'59.039"N -80°18'29.328"W

14 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine scrub-shrub (PSS) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts. (Greenville East & West, PA Quadrangle) 41°27'42.044"N -80°24'41.922"W

15 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts. (Greenville East & West, PA Quadrangle) 41°27'47.863"N -80°24'43.444"W

16 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.07 acre (Greenville East & West, PA Quadrangle) 41°27'36.893"N -80°22'57.297"W

17 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.02 acre (Greenville East & West, PA Quadrangle) 41°27'36.217"N -80°22'48.360"W

18 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'35.472"N -80°22'47.791"W

19 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.12 acre (Greenville East & West, PA Quadrangle) 41°27'30.685"N -80°22'45.677"W

20 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.11 acre (Greenville East & West, PA Quadrangle) 41°27'15.551"N -80°22'37.361"W

21 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.02 acre (Greenville East & West, PA Quadrangle) 41°27'18.467"N -80°21'52.389"W

22 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'18.622"N -80°21'47.486"W

23 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine forested (PFO) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'18.776"N -80°21'42.648"W

24 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine forested (PFO) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.03 acre (Greenville East & West, PA Quadrangle) 41°27'19.092"N -80°21'32.679"W

25 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.12 acre (Greenville East & West, PA Quadrangle) 41°27'18.277"N -80°20'49.629"W

26 One (1) 16 inch diameter natural gas gathering line crossing a palustrine scrub shrub (PSS) wetland / palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.034 acre (Greenville East & West, PA Quadrangle) 41°27'24.265"N -80°20'31.142"W



27 One (1) 16 inch diameter natural gas gathering line crossing a palustrine scrub shrub (PSS) wetland / palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.011 acre (Greenville East & West, PA Quadrangle) 41°27'24.283"N -80°20'30.779"W

28 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine scrub shrub (PSS) wetland using timber mat & open cut technique and impacting 0.05 acre (Greenville East & West, PA Quadrangle) 41°27'33.502"N -80°20'6.316"W

29 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.08 acre (Greenville East & West, PA Quadrangle) 41°27'31.995"N -80°19'28.473"W

30 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.06 acre (Greenville East & West, PA Quadrangle) 41°27'30.332"N -80°19'25.223"W

31 One temporary access road crossing a palustrine emergent (PEM) wetland using timber mat technique and impacting 0.02 acre (Greenville East & West, PA Quadrangle) 41°27'30.539"N -80°19'25.184"W

32 One temporary access road crossing a palustrine emergent (PEM) wetland using timber mat technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'56.937"N -80°18'1.877"W

33 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.05 acre (Greenville East & West, PA Quadrangle) 41°27'58.211"N -80°17'53.375"W

34 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'58.603"N -80°17'34.810"W

35 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'58.652"N -80°17'34.598"W

36 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.03 acre (Greenville East & West, PA Quadrangle) 41°28'4.830"N -80°17'9.846"W

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E4129-078: Anadarko Marcellus Midstream, LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 729 square feet of a palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'15"N 76°54'42"W);

2) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 47 square feet of a palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'15"N 76°54'39"W);

3) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 53 square feet of a palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'15"N 76°54'36"W);

4) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 3,967 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'15"N 76°54'32"W);

5) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 94 linear feet of an unnamed tributary to Slacks Run (HQ-CWF, MF) (Bodines, PA Quadrangle 41°27'13"N 76°54'32"W);

6) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 1,337 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'09"N 76°54'34"W);

7) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 89 linear feet of an unnamed tributary to Slacks Run (HQ-CWF, MF) (Bodines, PA Quadrangle 41°27'06"N 76°54'31"W);

8) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 1,345 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'05"N 76°54'31"W);

9) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 20,878 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'56"N 76°54'31"W);

10) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 1,192 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'52"N 76°54'31"W);

11) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 3,136 square feet within the floodway of an unnamed tributary to Salt Run (EV, MF) and 17,682 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'50"N 76°54'31"W);

12) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 8,419 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'45"N 76°54'29"W);

13) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, and one fiber optic/electric line impacting 254 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°26'42"N 76°54'24"W);

14) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, and one fiber optic/electric line impacting 150 linear feet of unnamed tributaries to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°26'40"N 76°54'17"W);

15) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 13,555 square feet of palustrine emergent (PEM) wetland and 9786 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'38"N 76°54'16"W);

16) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 6,987 square feet within the floodway of an unnamed tributary to Salt Run (EV, MF), 4,856 square feet of palustrine forested (PFO) wetland, and 15 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°26'30"N 76°54'16"W);

17) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 171 linear feet of unnamed tributaries to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°26'27"N 76°54'17"W);

18) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 2,303 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'26"N 76°54'18"W);

19) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 400 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'22"N 76°54'18"W);

20) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 76 linear feet of an unnamed tributary to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°26'21"N 76°54'13"W);

21) two 12-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 60 linear feet of Salt Run (EV, MF), 26 linear feet of an unnamed tributary to Salt Run (EV, MF), and 743 square feet within the floodway of an unnamed tributary to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°26'21"N 76°54'12"W);

22) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 12,130 square feet of palustrine emergent (PEM) wetlands and 3,962 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'21"N 76°53'50"W);

23) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 630 square feet palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°26'21"N 76°53'47"W);

24) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 57 linear feet of unnamed tributaries to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°26'19"N 76°53'38"W);

25) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 7,718 square feet within the floodway of unnamed tributaries to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°26'21"N 76°53'39"W);

26) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 1,742 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°26'19"N 76°53'38"W);

27) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 51 linear feet of an unnamed tributary to Salt Run (EV, MF) and 241 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°26'11"N 76°53'33"W);

28) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 3,184 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°26'13"N 76°52'49"W);

29) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 10,777 square feet of palustrine forested (PFO) wetland and 3,019 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'53"N 76°52'38"W);

30) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 133 linear feet of unnamed tributaries to Wallis Run (EV, MF) (Bodines, PA Quadrangle 41°25'49"N 76°52'38"W);

31) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 45 linear feet of an unnamed tributary to Wallis Run (EV, MF) (Bodines, PA Quadrangle 41°25'46"N 76°52'38"W);

32) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 107 linear feet of unnamed tributaries to Wallis Run (EV, MF) (Bodines, PA Quadrangle 41°25'44"N 76°52'38"W);

33) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 21 linear feet of an unnamed tributary to Wallis Run (EV, MF) (Bodines, PA Quadrangle 41°25'41"N 76°52'37"W);

34) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 76 linear feet of an unnamed tributary to Wallis Run (EV, MF) (Bodines, PA Quadrangle 41°25'37"N 76°52'37"W);

35) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 54 linear feet of an unnamed tributary to Wallis Run (EV, MF), 10,828 square feet of adjacent palustrine forested (PFO) wetlands, and 2,371 square feet of adjacent palustrine emergent (PEM) wetlands (Bodines, PA Quadrangle 41°25'35"N 76°52'36"W);

36) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 76 linear feet of unnamed tributaries to Wallis Run (EV, MF) and 1,551 square feet within the floodway of an unnamed tributary to Wallis Run (EV, MF) (Barbours, PA Quadrangle 41°25'35"N 76°52'30"W);

37) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 119 square feet of palustrine emergent (PEM) wetland (Barbours, PA Quadrangle 41°25'35"N 76°52'15"W);

38) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 3,243 square feet of palustrine emergent (PEM) wetland and 3,279 square feet of palustrine forested (PFO) wetland (Barbours, PA Quadrangle 41°25'34"N 76°52'13"W);

39) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 31 linear feet of an unnamed tributary to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°25'40"N 76°54'19"W);

40) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 50 linear feet of an unnamed tributary to Salt Run (EV, MF) and 805 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'42"N 76°54'20"W);

41) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 56 linear feet of an unnamed tributary to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°25'42"N 76°54'20"W);

42) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 93 linear feet of unnamed tributaries to Salt Run (EV, MF) and 2,452 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°25'45"N 76°54'21"W);

43) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 44 linear feet of an unnamed tributary to Salt Run (EV, MF) and 717 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'50"N 76°54'22"W);

44) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 60 linear feet of an unnamed tributary to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°25'57"N 76°54'17"W);

45) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 73 linear feet of Salt Run (EV, MF) (Bodines, PA Quadrangle 41°25'57"N 76°54'16"W);

46) two 8-inch gas pipelines, one 6-inch gas pipeline, two 6-inch waterlines, one 12-inch water pipeline, one fiber optic/electric line, and a timber mat bridge impacting 1,214 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°26'16"N 76°53'54"W).

The project will result in a total of 1693 linear feet of stream impacts, 0.46 acre of additional floodway impacts, and 3.39 acres of wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development.

**E5729-067: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Elkland Township, **Sullivan County**, ACOE Baltimore District. To construct, operate, and maintain:

1) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 80 linear feet of an unnamed tributary to Elk Creek (EV) and 1,568 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°33'05"N, 76°40'36"W);

2) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 1,394 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°33'09"N, 76°40'39"W);

3) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 1,263 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°33'11"N, 76°40'45"W);

4) A temporary access road using a timber mat bridge and a 6 inch diameter well line impacting 80 linear feet of an unnamed tributary to Elk Creek (EV) and 7,706 square feet of an exceptional value palustrine emergent/scrub shrub (EV-PEM/PSS) wetland (Shunk, PA Quadrangle 41°33'22"N, 76°40'55"W);

5) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 1,024 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'33"N, 76°40'38"W);

6) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 150 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°33'34"N, 76°40'36"W);

7) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 150 linear feet of Elk Creek (EV) (Shunk, PA Quadrangle 41°33'34"N, 76°40'35"W);

8) A temporary access road using a timber mats and a 6 inch diameter well line impacting 80 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°33'43"N, 76°40'21"W);

9) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 2,134 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°33'41"N, 76°40'13"W);



10) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 1,786 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'42"N, 76°39'55"W);

11) A temporary access road using a timber mats and a 10 inch diameter well line impacting 150 linear feet of Lake Run (EV) (Shunk, PA Quadrangle 41°33'42"N, 76°39'52"W);

12) A temporary access road using a timber mats and a 10 inch diameter gathering line impacting 80 linear feet of an unnamed tributary to Lake Run (EV) and 392 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'42"N, 76°39'50"W).

The project will result in 770 linear feet of temporary stream impacts, 14,042 square feet (0.32 acre) of temporary wetland impacts, and 3,202 square feet (0.07 acre) of permanent wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Elkland Township, Sullivan County. The permittee will provide 0.15 acre of compensatory mitigation for forested wetland impacts at an offsite location (Overton, PA Quadrangle 41°33'44"N 76°34'31"W) in Elkland Township, Sullivan County.

**E4129-072: Anadarko E&P Onshore LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, McIntyre Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 64 x 43-inch elliptical culvert and associated fill for a permanent access road impacting 60 linear feet of an unnamed tributary to Frozen Run (HQ-CWF) (Liberty, PA Quadrangle 41°30'10"N 77°00'31"W);

2) fill impacting 34,204 square feet within the floodway of an unnamed tributary to Frozen Run (HQ-CWF) for wearing surface improvements and widening of an existing access road (Liberty, PA Quadrangle 41°30'12"N 77°00'32"W);

3) fill impacting 2,629 square feet within the floodway of an unnamed tributary to Frozen Run (HQ-CWF) for wearing surface improvements and widening of an existing access road (Liberty, PA Quadrangle 41°30'10"N 77°01'13"W).

The project will result in a total of 60 linear feet of stream impacts and an additional 0.85 acre of floodway impacts for approximately 555 cubic yards of gravel all for the purpose of installing a permanent access roadway to multiple well sites for Marcellus well development.

**E4129-076: Atlas Resources, LLC**, Park Place Corporate Center One, 1000 Commerce Drive, 4th Fl, Pittsburgh, PA 15275, Gamble Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 6-inch gas pipeline and a timber mat bridge impacting 115 linear feet of an unnamed tributary to Murray Run (EV) (Bodines, PA Quadrangle 41°23'20"N 76°56'22"W);

2) one 6-inch gas pipeline bored beneath 45 linear feet of Murray Run (EV) (Bodines, PA Quadrangle 41°23'30"N 76°56'14"W);

3) one temporary mobile bridge impacting 44 linear feet of Murray Run (EV) (Bodines, PA Quadrangle 41°23'29"N 76°56'13"W).

The project will result in a total of 204 linear feet of stream impacts all for the purpose of installing a natural gas gathering line and temporary access roadways for Marcellus well development.

## ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D45-047EA. Thomas Long, President, Meadow Lake Fishing Club**, 312 Wrangler Road, East Stroudsburg, PA 18302, Middle Smithfield Township, **Monroe County**, USACOE Philadelphia District.

Project proposes to modify, operate, and maintain Meadow Lake Dam across a tributary to Pond Creek (HQ-CWF, MF). The project will increase spillway capacity and raise the dam embankment. Construction will temporarily impact approximately 0.03 acre of wetland (PSS/PEM). The dam is located approximately one-half mile northeast of the intersection of Sellersville Road and Route 209 (Bushkill, PA Quadrangle; Latitude: 41.0343, Longitude: -75.0525).

## 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.

or 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.

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.*

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0413004-1	Mark West Liberty Bluestone, LLC. 4600 J. Barry Court Suite 500 Canonsburg, PA 15317	Beaver	South Beaver Township, Darlington Township, Darlington Borough, Big Beaver Borough, North Sewickley Township, Franklin Township, Marion Township, Jackson Township, Lancaster Township	Beaver River (WWF), Clarks Run (WWF), Brush Creek (WWF), Camp Run (WWF), Connoquenessing Creek (WWF), Doe Run (WWF), Hazen Run (WWF), Scholars Run (WWF), Thompson Run (WWF), and respective UNTs (WWF) Jordan Run (HQ-CWF), McCastry Run (HQ-CWF), North Fork Little Beaver Creek (HQ-CWF) and all respective UNTs (HQ-CWF), Little Connoquenessing Creek (CWF), Slipper Rock Creek (CWF), and all respective UNTs (CWF)
6313009	Columbia Gas Transmission 1700 MacCorkle Ave Charleston, WV 25325	Washington	Mt. Pleasant Township	Raccoon Run (WWF), and UNT to Raccoon Run (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESG13-047-0008—Clermont Compressor Station

Applicant Seneca Resources

Contact Mr. Mike Clinger

Address 51 Zents Boulevard

City Brookville State PA Zip Code 15825

County Elk Township(s) Jones(s)

Receiving Stream(s) and Classification(s) (3) UNTs to Straight Creek (HQ-CWF/EV)

ESCGP-1 #ESX13-073-0016—Mahoning—Yeo

Applicant Hilcorp Energy Company

Contact Ms. Stephanie McMurray

Address 1201 Louisiana Street, Suite 1400

City Houston State TX Zip Code 77002

County Lawrence Township(s) Pulaski and Mahoning(s)

Receiving Stream(s) and Classification(s) UNT to Coffee Run (WWF)

ESCGP-1 #ESX13-019-0063—Reno to Kennedy Pipeline  
Applicant MarkWest Liberty Bluestone, LLC

Contact Rick Lowry

Address 4600 J Barry Court Suite 500

City Canonsburg State PA Zip Code 15317-9523

County Butler Township(s) Middlesex(s)

Receiving Stream(s) and Classification(s) UNT to Glade Run, Glade Run, Connoquenessing Creek, WWF

ESCGP-1 #ESX11-019-0060B Major Modification—  
Godfrey Unit 1

Applicant XTO Energy, Inc.

Contact Melissa Breitenbach

Address 502 Keystone Drive

City Warrendale State PA Zip Code 15086-7537

County Butler Township(s) Penn(s)

Receiving Stream(s) and Classification(s) Thorn Creek CWF, Connoquenessing Creek WWF

ESCGP-1 #ESX13-019-0067—Royal Compressor Station

Applicant MarkWest Liberty Bluestone, LLC

Contact Rick Lowry

Address 4600 J Barry Court Suite 500

City Canonsburg State PA Zip Code 15317-9523

County Butler Township(s) Forward(s)

Receiving Stream(s) and Classification(s) UNTs to Breakneck Creek, UNTs to Connoquenessing Creek, Slippery Rock Creek, Connoquenessing Creek WWF

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802*

<i>ESCP No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESCGP22213801 (Issued)	William Brett Texas Eastern Transmission LP 890 Winter Street Suite 300 Waltham, MA 02451	Dauphin	West Hanover Township, Middle Paxton Township	Fishing Creek (WWF), Stony Creek (WWF)

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No: ESX11-051-0039 Major Revision  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person Mr Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Fayette Township: Nicholson  
 Receiving Stream (s) And Classifications: UNT to Cats Run WWF, UNT to Jacobs Creek WWF / Monongahela River; Other WWF

ESCGP-2 No.: ESX13-129-0012  
 Applicant Name: Cone Gathering LLC  
 Contact Person: Ms Tara Meek  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Westmoreland Township(s): Allegheny and Washington

Receiving Stream(s) and Classifications: Tributaries 42911 & 42912 to Pine Run / Kiskiminetas Watershed Pine Run / Kiskiminetas Watershed; Tributaries 42936, 42937, 42938 & 42944 to Beaver Run/ Kiskiminetas Watershed; Other WWF, TSF; Siltation-Impaired: Pine Run and Tributaries 42936, 42937, 43928 and 42944 to Beaver Run

ESCGP-2 No.: ESX13-125-0088  
 Applicant Name: Rice Drilling B LLC  
 Contact Person: Mr Joe Mallow  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Fallowfield  
 Receiving Stream(s) and Classifications: Three (3) UNT to Pigeon Creek; Other Warm Water Fishes (WWF); Siltation-Impaired

ESCGP-2 No.: ESX14-125-0001  
 Applicant Name: Rice Poseidon Midstream LLC  
 Contact Person: Ms Tonya Winkler  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Somerset  
 Receiving Stream(s) and Classifications: #24054 South Branch Pigeon Creek; Other Warm Water Fishes (WWF)

ESCGP-2 No.: ESX13-125-0090  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Ms Laura Rusmisl  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Washington Township(s): Donegal  
 Receiving Stream(s) and Classifications: UNTs to Middle Wheeling Creek / Wheeling-Buffalo Creeks Watershed; Other WWF

ESCGP-2 No.: ESX13-003-0011  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Mr Jonathan Madill  
 Address: 280 Indian Springs Road  
 City: Indiana State: PA Zip Code: 15701  
 County: Allegheny Township(s): Findlay

Receiving Stream(s) and Classifications: Tributary 36716, Tributary 36715, and Tributary 36710 to Montour Run/Upper Ohio River Watershed; UNTs to Montour Run; Other TSF

ESCGP-2 No.: ESX13-125-0094  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Chris O'Connor  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code 15301  
 County: Washington Township(s): Chartiers  
 Receiving Stream(s) and Classifications: UNT to Chartiers Run—WWF; UNT to Chartiers Creek—WWF; Chartiers Creek Watershed; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX14-125-0002  
 Applicant Name: Rice Poseidon Midstream LLC  
 Contact Person: Tonya Winkler  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): West Pike Run  
 Receiving Stream(s) and Classifications: UNT S-01, UNT S-02, UNT S-03a and UNT S-04 to #28665 Pike Run/ Middle Monongahela River; Other Trout Stocked Fishes (TSF)

ESCGP-2 No.: ESG13-005-0025  
 Applicant Name: EQT Gathering LLC  
 Contact Person: Mr Brian M Clauto  
 Address: 455 Racetrack Road Suite 101  
 City: Washington State: PA Zip Code: 15301  
 County: Armstrong Township(s): West Franklin  
 Receiving Stream(s) and Classifications: UNT to Buffalo Creek; Buffalo Creek Watershed; HQ; Other HQ-TSF

ESCGP-2 NO.: ESX13-125-0089  
 Applicant Name: Rice Drilling B LLC  
 CONTACT PERSON: Mr Joe Mallow  
 ADDRESS: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): West Pike Run  
 Receiving Stream(s) and Classifications: #28665 Pike Run and #26576 UNT to Pike Run / Lower Monongahela River; Other TSF (Trout Stocking)

ESCGP-2 NO.: ESX13-003-0006  
 Applicant Name: Superior Appalachian Pipeline LLC  
 CONTACT: Mr Kenneth D Magyar  
 ADDRESS: 1000 Town Center Way Suite 120  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Allegheny Township(s): Fawn / Frazer  
 Receiving Stream(s) and Classifications: Bull Creek Watershed; UNTs to Bull Creek; Bull Creek; Lardintown Run; UNTs to Lardintown Run; Other Trout Stocked Fishery (TSF)

ESCGP-2 NO.: ESG13-005-0023  
 Applicant Name: EQT Gathering LLC  
 CONTACT: Mr Brian M Clauto  
 ADDRESS: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Armstrong Township(s): West Franklin  
 Receiving Stream(s) and Classifications: UNT to Buffalo Creek, Buffalo Creek Basin; HQ; Other HQ-TSF

## SPECIAL NOTICES

### Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).



Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mr. Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, PO Box 8472, Harrisburg, PA 17105-8472.

#### Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Northeast	Schuylkill	Schuylkill County	Plan revision/update	\$73,325.00

#### DRINKING WATER STATE REVOLVING FUND SPECIAL NOTICE

#### Special Notice Under the Federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. §§ 300f, et. seq.)

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

##### *Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Schuylkill County Municipal Authority	221 South Centre Street Pottsville, Pa 17901	Mahanoy Township Schuylkill County

**Project Description:** The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Schuylkill County Municipal Authority is proposing an extension of their Mount Laurel water distribution system to serve the Mahanoy Business Park. The proposed project includes installation of 16,580 feet of 12-inch diameter waterline and construction of a new 500,000 gallon welded steel finished water storage tank. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment for the proposed project.

[Pa.B. Doc. No. 14-379. Filed for public inspection February 21, 2014, 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.

#### Rescission of Technical Guidance

**DEP ID:** 274-0300-006. **Title:** Technical Guidance Pertaining to Continuous Source Monitoring Systems for Mercury. **Description:** The purpose of the technical guidance document was to establish procedures and specifications for continuous source monitoring systems and accepted monitoring technologies required by Pennsylvania's Standards for Contaminants; Mercury, 25 Pa. Code §§ 123.201—123.215. This rule was deemed invalid in 2009. Therefore, this document is no longer applicable.

**Contact:** Jon Miller, (717) 772-5101.

**Effective Date:** February 22, 2014

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-380. Filed for public inspection February 21, 2014, 9:00 a.m.]

#### Bid Opportunity

**OSM 14(4565)101.1, Abandoned Mine Reclamation Project, Coaldale, Rush Township, Centre County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; removal and disposal of solid waste 10 tons; standard grading 591,250 cubic yards; FRA grading in fill

zone 29 acres; grading in cut zone 29.5 acres; subsurface drain 1,980 linear feet; V channel with enlarged berm 3,600 linear feet; pipe culvert 15" diameter smooth interior corrugated polyethylene 25 linear feet; R-5 rock lining with geotextile 35 square yards; and seeding 58.5 acres. This bid issues on February 21, 2014, and bids will be opened on March 20, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-381. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Bid Opportunity

**OSM 17(7004)103.1, Abandoned Mine Reclamation Project, Owens Cemetery, Clearfield Township, Clearfield County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; demolition, removal and disposal of solid waste 5 tons; demolition, removal and disposal of house and garage; AASHTO No. 1 coarse aggregate 140 tons; PADOT R-5 stone coarse aggregate 555; subsurface drain (6" polyvinyl chloride pipe 215 linear feet, 8" polyvinyl chloride pipe 80 linear feet, 12" polyvinyl chloride 425 linear feet, drain tie ins 4 each); precast concrete inlets; and seeding. This bid issues on February 21, 2014, and bids will be opened on March 20, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-382. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Storage Tank Advisory Committee Meeting Cancellation

The March 4, 2014, meeting of the Storage Tank Advisory Committee (Committee) is cancelled. The next meeting is scheduled for June 3, 2014, at 10 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the next scheduled meeting of the Committee can be directed to Charles M. Swokel at (717) 772-5806 or cswokel@pa.gov. The agenda and meeting materials for the June 3, 2014, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) under DEP Advisory Committees.

ment of Environmental Protection's (Department) web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) under DEP Advisory Committees.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5551 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-383. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Bucks County

Proposals are invited to provide the Department of General Services with 9,000 to 10,000 usable square feet of retail space for the Liquor Control Board in Warrenton, Bucks County. For more information on SFP No. 94561, which is due on February 21, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-384. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Dubois Regional Medical Center (Brookville) 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, 2834 Maplevalle Road, Brookville 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b) and 3.1-3.2.3.3 (relating to public corridors; if the outpatient facility serves; and 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](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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-385. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Clearfield) 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, 502 Park Avenue, Clearfield 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b), 3.1-3.2.2 and 3.1-3.2.4.

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-386. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Clearfield) 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, 531 A and B Hannah Street, Clearfield 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: 3.1-7.2.2.1(1) and 3.1-7.2.2.3(b) (relating to public corridors; and if the outpatient facility serves).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-387. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Clearfield) 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, 807 Turnpike Avenue, Clearfield 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b) and 3.1-3.2.4 (relating to public corridors; if the outpatient facility serves; and area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-388. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Dubois) 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, 90 Beaver Drive, Suite 122D, Dubois 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b) and 3.1-3.2.4 (relating to public corridors; if the outpatient facility serves; and area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-389. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Dubois) 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, 135 B Midway Drive, Dubois 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: 3.1-7.2.2.1(1) and 3.1-7.2.2.3(b) (relating to public corridors; and if the outpatient facility serves).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-390. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Dubois) 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, 529 Sunflower Drive, Dubois 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: 3.1-3.2.2.2, 3.1-7.2.2.1(1), 3.1-7.2.2.3(b), 3.1-3.2.4.2(1) and 3.1-3.2.3.3.

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-391. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Philipsburg) 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, 1049 Front Street, Philipsburg 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b) and 3.1-3.2.2 (relating to public corridors; if the outpatient facility serves; and 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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-392. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Punxsutawney) 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, 81 Hillcrest Drive, Suite 2300, Punxsutawney, PA 15767 has re-

quested 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: 3.1-7.2.2.3(b) and 3.1-3.2.4.2(1) (relating to if the outpatient facility serves; and area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-393. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (Ridgeway) 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, 204 Metoxet Street, Ridgeway 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: 3.1-7.2.2.3(b) (relating to if the outpatient facility serves).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-394. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (St. Mary's) 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, 105 Million Dollar Highway, St. Mary's 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b), 3.1-3.2.2 and 3.1-3.2.4.

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-395. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (St. Mary's) 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, 757 Johnsonburg Road, Suite 100, St. Mary's 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: 3.1-7.2.2.3(b) and 3.1-3.2.4 (relating to if the outpatient facility serves; and the area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-396. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application of Dubois Regional Medical Center (St. Mary's) 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, 757 Johnsonburg Road, Suite 110, St. Mary's 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: 3.1-7.2.2.3(b) and 3.1-3.2.4 (relating to if the outpatient facility serves; and the area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-397. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Application of Dubois Regional Medical Center (St. Mary's) 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, 761 Johnsonburg Road, St. Mary's 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: 3.1-7.2.2.3(b) and 3.1-3.2.4 (relating to if the outpatient facility serves; and area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-398. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Application of Dubois Regional Medical Center (St. Mary's) 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, 761 Johnsonburg Road, Suite 120, St. Mary's 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: 3.1-7.2.2.3(b) and 3.1-3.2.4.2(1) (relating to if the outpatient facility serves; and area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-399. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Application of Dubois Regional Medical Center (St. Mary's) 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, 761 Johnsonburg Road, Suite 340, St. Mary's 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: 3.1-7.2.2.1(1), 3.1-7.2.2.3(b) and 3.1-3.2.4 (relating to public corridors; if the outpatient facility serves; and area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-400. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Application of Leo R. McCafferty, MD for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Leo R. McCafferty, MD has 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 standards contained in this publication: 3.7-3.3.4.1, 3.7-3.6.11.2 and 3.7-3.6.11.4 (relating to space requirements; anesthesia equipment and supply storage; and stretcher storage area).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-401. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Application of Tri-State Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tri-State Surgery Center, LLC has 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 specifi-

cally requests exemption from the following standards contained in this publication: 3.7-3.4.2.2(1)(b) (relating to in the absence of a recovery analysis approved by).

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 (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-402. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Application of Vincera Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Vincera Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 569.35(7) (relating to general safety precautions).

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 (800) 654-5984.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-403. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Bradford County Manor  
15900 Route 6  
Troy, PA 16947  
FAC ID # 022302

Butler Valley Manor Health and Rehabilitation Center  
463 North Hunter Highway  
Drums, PA 18222  
FAC ID # 283802

Liberty Nursing and Rehabilitation Center  
535 North 17th Street  
Allentown, PA 18104  
FAC ID # 121802

Lifesequest Nursing Center  
2450 John Fries Highway  
Quakertown, PA 18951  
FAC ID # 212602

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

Penn State Hershey Rehabilitation, LLC  
1135 West Chocolate Avenue  
Hummelstown, PA 17036

The Summit Nursing & Rehabilitation Center at  
Palmerton Hospital  
135 Layette Avenue  
Palmerton, PA 18071  
FAC ID # 24090201

The following long-term nursing facilities are seeking exceptions to 28 Pa. Code § 205.6(a) (relating to function of building):

Richfield Senior Living and Rehabilitation Center  
P. O. Box 248, 631 Main Street  
Richfield, PA 17086

Weatherwood Nursing Home and Rehabilitation Center  
1000 Evergreen Avenue  
Weatherly, PA 18255  
FAC ID # 030602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, 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 the 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 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 (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-404. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Newborn Screening and Follow-Up Program Technical Advisory Board and Infant Hearing Screening Program Technical Advisory Committee Joint Meeting

The Newborn Screening and Follow-Up Program Technical Advisory Board, established under the Newborn Child Testing Act (35 P. S. §§ 621—625), and the Infant Hearing Screening Program Technical Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral (IHEARR) Act (11 P. S. §§ 876-1—876-9), will hold a joint public meeting on Thursday, March 13, 2014, from 10 a.m. until 3 p.m. The meeting will be held at the Department of Transportation, Bureau of Laboratories, 81 Lab Lane, Harrisburg, PA 17110.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so contact Lani Culley or Arthur Florio, Public Health Program Administrators, Division of Newborn Screening and Genetics at (717) 783-8143, speech and/or hearing impaired persons use V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Services (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-405. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Public Comment on the Proposed Federal Fiscal Year 2015 Combined Agency State Plan Attachments

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), announces a period of public comment on its proposed Federal Fiscal Year (FFY) 2015 Combined Agency State Plan Attachments (Attachments). The plan is the blueprint for the provision of Vocational Rehabilitation (VR) services to persons with disabilities living in this Commonwealth. The FFY 2015 begins on October 1, 2014, and ends on September 30, 2015. This notice is provided under the Rehabilitation Act of 1973, as amended in the Workforce Investment Act of 1998.

OVR is required to develop and implement a Combined Agency State Plan, which must be reviewed and revised annually when there are changes to its VR program. These revisions take the form of updates to existing attachments. The FFY 2014 plan is currently in effect and is a compliance document on file with the Commis-



sioner, Rehabilitation Services Administration and United States Department of Education.

This comment period provides individuals, advocates and other interested parties or organizations, or both, opportunities to present their views and recommendations regarding VR services for persons with disabilities. In this Commonwealth, these services are provided by OVR through a network of 21 district offices and the Hiram G. Andrews Center. Comments are being solicited regarding the following State Plan attachments:

- Input and Recommendations of the Pennsylvania Rehabilitation Council.
- Comprehensive System of Personnel Development.
- Annual Estimate of Individuals to be Served and Costs of Services.
- OVR's Goals and Priorities.
- Order of Selection.
- Distribution of Supported Employment Funds.
- Innovation and Expansion Activities.

In addition to the VR State Plan, the Department's Bureau of Blindness and Visual Services (BBVS) will accept public comment on:

- The Business Enterprise Program.
- Specialized Services for Children and Adults.
- Independent Living Services for older persons who are blind.

The scheduled public meetings are listed as follows. Meeting sites are accessible and interpreters for people who are deaf or hard of hearing will be present at each public meeting. For additional information, reasonable accommodation requests or alternative format requests, call the OVR district office conducting the public meeting. Written comments may be submitted by mail to the appropriate district office serving the area in which the individual/organization member resides.

In addition, a conference call or web collaboration will be available for people to participate in the meeting by means of their phones or computers, or both. Contact the local district office for details.

Written comments must be received no later than 5 p.m. on Friday, April 25, 2014.

To obtain a copy of the proposed FFY 2015 Attachments or other information, call the contact person listed for the appropriate District Office serving their county.

A copy of the approved FFY 2014 Attachments, as well as the proposed FFY 2015 Attachments, are available on the OVR web site at [www.dli.state.pa.us](http://www.dli.state.pa.us) by clicking on "Disability Services," then "Office of Vocational Rehabilitation," then "Publications."

#### **Office of Vocational Rehabilitation District Office State Plan Meeting Information**

##### *Allentown BVRs District Office*

(Carbon, Lehigh, Monroe and Northampton Counties)

Date: April 2, 2014, Time: 4 p.m.—6 p.m.

45 North Fourth Street

Allentown, PA 18102

(800) 922-9536 (Voice), (888) 377-9207 (TTY)

Contact Person: Rick Walters

##### *Altoona BBVS District Office*

(Bedford, Blair, Cambria, Centre, Clinton, Columbia,

Fulton, Huntingdon, Juniata, Lycoming, Mifflin,

Montour, Northumberland, Snyder, Somerset and Union Counties)

Date: March 31, 2014, Time: 2 p.m.—6 p.m.

1130 12th Avenue, Fourth Floor Conference Room

Altoona, PA 16601

(866) 695-7673 (Voice), (866) 320-7956 (TTY)

Contact Person: Anne Strollo, (866) 695-7673

##### *Altoona BVRs District Office*

(Bedford, Blair, Centre, Fulton and Huntingdon Counties)

Date: March 31, 2014, Time: 2 p.m.—6 p.m.

1130 12th Avenue, Fourth Floor Conference Room

Altoona, PA 16601

(800) 442-6343 (Voice), (866) 320-7955 (TTY)

Contact Person: Colleen Woodring, (814) 946-7252

##### *DuBois BVRs District Office*

(Cameron, Clearfield, Elk, Jefferson and McKean Counties)

Date: March 19, 2014, Time: 11 a.m.—12 p.m. and 5 p.m.—6 p.m.

199 Beaver Drive

DuBois, PA 15801

(800) 922-4017 (Voice/TTY)

Contact Person: Ralph Serafini, (814) 371-7340

##### *Erie BBVS District Office*

(Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties)

Date: April 2, 2014, Time: 5 p.m.—6 p.m.

Office of Vocational Rehabilitation Conference Room

3200 Lovell Place

Erie, PA 16503

(866) 521-5073 (Voice), (888) 884-5513 (TTY)

Contact Person: Dawn Sokol, (814) 871-4401

and

##### *Perkins Family Restaurant*

Date: April 10, 2014, Time: 10:30 a.m.—12 p.m.

18276 Conneaut Lake Road

Meadville, PA 16335

Contact Person: Dawn Sokol, (814) 871-4401

On-site at restaurant—mobile number (814) 573-1432

##### *Erie BVRs District Office*

(Clarion, Crawford, Erie, Forest, Mercer, Venango and Warren Counties)

Date: April 2, 2014, Time: 1 p.m.—3 p.m. and 5 p.m.—6 p.m.

Erie District Office Conference Room

3200 Lovell Place

Erie, PA 16503

(800) 541-0721 (Voice), (888) 217-1710 (TTY)

Contact Person: Jack Hewitt, (814) 651-9607

##### *Harrisburg BBVS District Office*

(Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties)

Date: March 17, 2014, Time: 3 p.m.—6 p.m.

Forum Place, 8th Floor Conference Room

555 Walnut Street

Harrisburg, PA 17101

(866) 375-8264 (Voice), (888) 575-9420 (TTY)

Contact Person: Karen Knaub, (717) 705-8618, Ext. 120

##### *Harrisburg BVRs District Office*

(Cumberland, Dauphin, Juniata, Lebanon, Mifflin and Perry Counties)

Date: March 17, 2014, Time: 3 p.m.—6 p.m.

Forum Place, 8th Floor Conference Room

555 Walnut Street

Harrisburg, PA 17101

(800) 442-6352 (Voice), (877) 497-6545 (TTY)  
Contact Person: Stacey Lenker, (717) 346-2756, Ext. 240

*Johnstown BVRs District Office*

(Cambria, Indiana, Somerset and Westmoreland Counties)

Date: March 26, 2014, Time: 3:30 p.m.—5:30 p.m.

Hiram G. Andrews Center, Seminar Theater  
727 Goucher Street, Section 10

Johnstown, PA 15905

(800) 762-4223 (Voice), (866) 862-6891 (TTY)

Contact Person: Tammy Burke, (814) 255-6771, Ext. 3013

*New Castle BVRs District Office*

(Armstrong, Beaver, Butler and Lawrence Counties)

Date: March 20, 2014, Time: 3 p.m.—6 p.m.

100 Margaret Street

New Castle, PA 16101

(800) 442-6379 (Voice), (888) 870-4476 (TTY)

Contact Person: Gail Steck, (724) 656-3070 or (800)

442-6379, C: (724) 651-4031, F: (724) 656-3265,

(724) 656-3252 (TTY) or (888) 870-4476,

VP: (724) 510-0522

*Norristown BVRs District Office*

(Bucks, Chester, Delaware and Montgomery Counties)

Date: March 25, 2014, Time: 3:30 p.m.—6 p.m.

1875 New Hope Street

Norristown, PA 19401

(800) 221-1042 (Voice), (888) 616-0470 (TTY)

Contact Person: Catherine Getchell, (800) 221-1042,  
Ext. 145

*Philadelphia BBVS District Office*

(Bucks, Chester, Delaware, Montgomery and Philadelphia Counties)

Philadelphia BBVS District Office Conference Room—  
no meetings at district office

5th Floor Conference Room

444 North Third Street

Philadelphia, PA 19123

(866) 631-3892 (Voice), (888) 870-4473 (TTY)

Contact Person: Lynn Heitz, (215) 560-5707

*Associated Services for the Blind*

Date: March 18, 2014, Time: 3 p.m.—6 p.m.

919 Walnut Street, 10th Floor

Philadelphia, PA 19107

(866) 631-3892 (Voice), (888) 870-4473 (TTY)

Contact Person: Lynn Heitz, (215) 560-5707

and

*Center for the Blind and Visually Impaired*

Date: March 27, 2014, Time: 2 p.m.—4 p.m.

100 West 15th Street

Chester, PA 19013

Contact Person: Rosemary Keefe, (610) 874-1476, Ext. 161

*Philadelphia BVRs District Office*

(Philadelphia County)

Date: March 27, 2014, Time: 3 p.m.—5:30 p.m.

5th Floor Conference Room

444 North Third Street

Philadelphia, PA 19123

(800) 442-6381 (Voice), (800) 772-9031 (TTY)

Contact Persons: Shari Brightful, (215) 560-1972

*Pittsburgh BBVS District Office*

(Allegheny, Armstrong, Beaver, Butler, Fayette, Greene,  
Indiana, Washington and Westmoreland Counties)

Date: April 2, 2014, Time: 4:30 p.m.—7 p.m.

531 Penn Avenue

Pittsburgh, PA 15222

(866) 412-4072 (Voice), (877) 255-5082 (TTY)

Contact Person: Janet Wisloski, Assistant District  
Administrator, (412) 565-5521

*Pittsburgh BVRs District Office*

(Allegheny County)

Date: March 20, 2014, Time: 3 p.m.—5:30 p.m.

Office of Vocational Rehabilitation

531 Penn Avenue

Pittsburgh, PA 15222

(800) 442-6371 (Voice), (888) 870-4474 (TTY)

Contact Person: Maryann Sutor, (412) 392-4958

*Reading BVRs District Office*

(Berks and Schuylkill Counties)

Date: March 20, 2014, Time: 3:30 p.m.—5:30 p.m.

3602 Kutztown Road, Suite 200

Reading, PA 19605

(800) 442-0949 (Voice), (877) 475-7326 (TTY)

Contact Person: Helen Rivera, (610) 621-5800, Ext. 108

*Washington BVRs District Office*

(Fayette, Greene and Washington Counties)

Date: March 25, 2014, Time: 4 p.m.—6 p.m.

Washington District Office Conference Room

201 West Wheeling Street

Washington, PA 15301

(800) 442-6367 (Voice), (866) 752-6163 (TTY)

Contact Person: Lori Kaczmarek (724) 223-4430, Ext. 251  
and

*Fayette County Community Action Administration  
Building*

Date: March 26, 2014, Time: 11:30 a.m.—12:30 p.m.

Conference Room

108 North Beeson Boulevard

Uniontown, PA 15401

(800) 442-6367 (Voice), (866) 752-6163 (TTY)

Contact Person: Lori Kaczmarek, (724) 223-4430, Ext. 251

*Wilkes-Barre BBVS District Office*

(Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne,  
Monroe, Northampton, Pike, Schuylkill, Sullivan,  
Susquehanna, Tioga, Wayne and Wyoming Counties)

Date: March 17, 2014, Time: 4 p.m.—6 p.m.

Conference Room

300G Laird Street

Wilkes-Barre, PA 18702

(866) 227-4163 (Voice) or (570) 826-2361, (888) 651-6117  
(TTY)

Contact Person: Karen Walsh-Emma, (570) 826-2361,  
Ext. 211

and

*Allentown BVRs District Office*

Date: April 2, 2014, Time: 4 p.m.—6 p.m.

45 North Fourth Street

Allentown, PA 18102

(800) 922-9536 (Voice), (888) 377-9207 (TTY)

Contact Person: Rick Walters

and

*Reading BVRs District Office*

Date: March 20, 2014, Time: 3:30 p.m.—5:30 p.m.

3602 Kutztown Road, Suite 200

Reading, PA 19605

(800) 442-0949 (Voice), (877) 475-7326 (TTY)

Contact Person: Helen Rivera, (610) 621-5800, Ext. 108

*Wilkes-Barre BVRs District Office*

(Bradford, Columbia, Lackawanna, Luzerne, Pike, Sulli-  
van, Susquehanna, Wayne and Wyoming Counties)

Date: March 17, 2014, Time: 4 p.m.—6 p.m.

Wilkes-Barre OVR District Office

300G Laird Street  
Wilkes-Barre, PA 18702  
(800) 634-2060 (Voice), (888) 651-6117 (TTY)  
Contact Person: Heather Nelson, (800) 634-2060, Ext. 109

*Williamsport BVRs District Office*  
(Clinton, Lycoming, Montour, Northumberland, Potter,  
Snyder, Tioga and Union Counties)  
Date: March 26, 2014, Time: 3 p.m.—6 p.m.  
The Grit Building, Suite 102  
208 West Third Street  
Williamsport, PA 17701  
(800) 442-6359 or (570) 327-3600 (Voice), (800) 706-0884 (TTY)  
Contact Person: Susan Swartz, (570) 505-7234

*York BVRs District Office*  
(Adams, Franklin, Lancaster and York Counties)  
Date: April 1, 2014, Time: 3 p.m.—6 p.m.  
2550 Kingston Road, Suite 207  
York, PA 17402  
(800) 762-6306 (Voice), (866) 466-1404 (TTY)  
Contact Person: Susan Richeson (717) 771-4407, Ext. 204

JULIA K. HEARTHWAY,  
Secretary

[Pa.B. Doc. No. 14-406. Filed for public inspection February 21, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Gold Mine 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 Gold Mine.

2. *Price:* The price of a Pennsylvania Gold Mine instant lottery game ticket is \$3.

3. *Play Symbols:* Pennsylvania Gold Mine instant lottery game ticket will contain two “play grid” areas and a “LUCKY SYMBOLS” area. Each “play grid” area consists of 16 spaces on a grid four vertical “LINES” wide and four horizontal “LINES” tall. The four vertical “LINES” on the first “play grid” are designated as “LINE 1,” “LINE 2,” “LINE 3” and “LINE 4.” The four horizontal “LINES” on the first “play grid” are designated as “LINE 5,” “LINE 6,” “LINE 7” and “LINE 8.” The four vertical “LINES” on the second “play grid” are designated as “LINE 9,” “LINE 10,” “LINE 11” and “LINE 12.” The four horizontal “LINES” on the second “play grid” are designated as “LINE 13,” “LINE 14,” “LINE 15” and “LINE 16.” Each “LINE” offers a separate chance to win. The play symbols and their captions located in the “play grid” areas are: Covered Wagon (WAGON) symbol, Shovel (SHOVEL) symbol, Belt (BELT) symbol, Spur (SPUR) symbol, TNT (TNT) symbol, Horseshoe (SHOE) symbol, Pot of Gold (POTGLD) symbol, Miner (MINER) symbol, Sun (SUN) symbol, Pan (PAN) symbol, Bandana (BANDNA) symbol, Pick (PICK) symbol, Rope (ROPE) symbol, Moneybag (MNBAG) symbol, Cowboy Hat (HAT) symbol, Stack of Money (MSTACK) symbol, Cart (CART) symbol, Boot (BOOT) symbol, Barrel (BARRL) symbol, Bird (BIRD) symbol,

Badge (BADGE) symbol, Gold Nugget (NUGGET) symbol, Cabin (CABIN) symbol, Horse (HORSE) symbol, Banjo (BANJO) symbol, Coins (COINS) symbol, Cactus (CACTUS) symbol, 24K (24KT) symbol, Bank (BANK) symbol, Camp Fire (FIRE) symbol, Gold Bar (GLDBAR) symbol and Chest (CHEST) symbol. The play symbols and their captions located in the “LUCKY SYMBOLS” areas are: Covered Wagon (WAGON) symbol, Shovel (SHOVEL) symbol, Belt (BELT) symbol, Spur (SPUR) symbol, TNT (TNT) symbol, Horseshoe (SHOE) symbol, Pot of Gold (POTGLD) symbol, Miner (MINER) symbol, Sun (SUN) symbol, Pan (PAN) symbol, Bandana (BANDNA) symbol, Pick (PICK) symbol, Rope (ROPE) symbol, Moneybag (MNBAG) symbol, Cowboy Hat (HAT) symbol, Stack of Money (MSTACK) symbol, Cart (CART) symbol, Boot (BOOT) symbol, Barrel (BARRL) symbol, Bird (BIRD) symbol, Badge (BADGE) symbol, Gold Nugget (NUGGET) symbol, Cabin (CABIN) symbol, Horse (HORSE) symbol, Banjo (BANJO) symbol, Coins (COINS) symbol, Cactus (CACTUS) symbol, 24K (24KT) symbol, Bank (BANK) symbol, Camp Fire (FIRE) symbol, Gold Bar (GLDBAR) symbol and Chest (CHEST) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “Prize” area at the end of each “LINE” are: \$3.<sup>00</sup> (THR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.<sup>00</sup> (FIFTN), \$20.<sup>00</sup> (TWENTY), \$30.<sup>00</sup> (THIRTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$300, \$1,000, \$5,000 and \$50,000. The player can win up to 6 times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,200,000 tickets will be printed for the Pennsylvania Gold Mine instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which four of the “LUCKY SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$50,000 (FTY THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which four of the “LUCKY SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which four of the “LUCKY SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which four of the “LUCKY SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$300 (THR HUN) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which four of the “LUCKY SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$150 (ONEHUNFTY)



appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which four of the "LUCKY SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$3<sup>00</sup> (THR DOL) appears in the "Prize" area at the end of that "LINE," 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 Lucky Symbols Area. Then Scratch The Corresponding Symbols Found On Either Grid. When You Match All Four Symbols In Any Horizontal Or Vertical Line, Win Prize Shown For That Line. Each Line Played Separately. Win With:*

<i>Win:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,200,000 Tickets</i>
\$3	\$3	9.09	1,122,000
\$5	\$5	13.89	734,400
\$5 × 2	\$10	58.82	173,400
\$10	\$10	58.82	173,400
\$3 × 5	\$15	333.33	30,600
\$5 × 3	\$15	333.33	30,600
\$15	\$15	250	40,800
\$5 × 6	\$30	500	20,400
\$10 × 3	\$30	1,000	10,200
(\$5 × 4) + \$10	\$30	500	20,400
\$30	\$30	1,000	10,200
\$10 × 5	\$50	1,500	6,800
(\$5 × 4) + \$30	\$50	1,333	7,650
(\$15 × 2) + (\$5 × 4)	\$50	1,333	7,650
\$50	\$50	2,000	5,100
(\$10 × 5) + \$50	\$100	2,000	5,100
(\$10 × 4) + (\$30 × 2)	\$100	2,667	3,825
(\$15 × 2) + (\$10 × 2) + \$50	\$100	8,000	1,275
\$100	\$100	4,000	2,550
\$30 × 5	\$150	12,000	850
\$50 × 3	\$150	15,000	680
(\$20 × 5) + \$50	\$150	10,000	1,020
(\$50 × 2) + (15 × 2) + (\$10 × 2)	\$150	10,000	1,020
\$100 + \$50	\$150	15,000	680
\$150	\$150	12,000	850
\$50 × 6	\$300	13,333	765
\$150 × 2	\$300	30,000	340
(\$30 × 5) + \$150	\$300	13,333	765
(\$100 × 2) + (\$50 × 2)	\$300	30,000	340

*Scratch The Lucky Symbols Area. Then Scratch The Corresponding Symbols Found On Either Grid. When You Match All Four Symbols In Any Horizontal Or Vertical Line, Win Prize Shown For That Line. Each Line Played Separately. Win With:*

\$300  
 (\$150 × 4) + \$300 + \$100  
 (\$300 × 3) + \$100  
 \$1,000  
 \$5,000  
 \$50,000

*Win:*

\$300  
 \$1,000  
 \$1,000  
 \$1,000  
 \$5,000  
 \$50,000

*Approximate Odds Are 1 In:*

30,000  
 30,000  
 30,000  
 30,000  
 120,000  
 680,000

*Approximate No. Of Winners Per 10,200,000 Tickets*

340  
 340  
 340  
 340  
 85  
 15

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 Gold Mine instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Gold Mine, prize money from winning Pennsylvania Gold Mine 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 Gold Mine 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 Gold Mine or through normal communications methods.

DANIEL MEUSER,  
 Secretary

[Pa.B. Doc. No. 14-407. Filed for public inspection February 21, 2014, 9:00 a.m.]

## Pennsylvania Hot Shot 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 Hot Shot.

2. *Price:* The price of a Pennsylvania Hot Shot instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Hot Shot instant lottery game ticket will contain one play area. The play area will contain two “HOT SHOT NUMBER” areas and a “YOUR NUMBERS” area. The play symbols and their captions located in the “HOT SHOT NUMBER” areas 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) and 20 (TWENT). 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) and a Hot Cash (HTCSH) 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), \$3<sup>00</sup> (THR DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100, \$500 and \$5,000. A player can win up to 5 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 13,200,000 tickets will be printed for the Pennsylvania Hot Shot instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the

“prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$3.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Hot Cash (HTCSH) symbol and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either “HOT SHOT NUMBER” play symbol and a prize symbol of FREE (TICKET) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Hot Shot instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

**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:

*When Any Of Your Numbers  
Match Either Hot Shot  
Number, Win Prize Shown  
Under The Matching Number.  
Win With:*

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets</i>
FREE	FREE \$1 TICKET	8.82	1,496,000
(\$1 w/ HOT CASH) × 2	\$2	50	264,000
\$2 w/ HOT CASH	\$2	50	264,000
\$2	\$2	100	132,000
\$1 × 3	\$3	300	44,000
\$2 + \$1	\$3	150	88,000
\$3 w/ HOT CASH	\$3	75	176,000
\$3	\$3	150	88,000
(\$2 × 2) + \$1	\$5	300	44,000
\$5 w/ HOT CASH	\$5	200	66,000



When Any Of Your Numbers  
Match Either Hot Shot  
Number; Win Prize Shown  
Under The Matching Number.  
Win With:

Win:	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 13,200,000 Tickets
\$5	\$5	200	66,000
\$2 × 5	\$10	1,000	13,200
\$5 × 2	\$10	1,000	13,200
(\$3 × 2) + (\$2 × 2)	\$10	750	17,600
(\$4 w/ HOT CASH) + (\$2 × 3)	\$10	600	22,000
\$10 w/ HOT CASH	\$10	600	22,000
\$10	\$10	1,500	8,800
\$5 × 4	\$20	1,500	8,800
\$10 × 2	\$20	1,500	8,800
(\$5 × 3) + \$3 + \$2	\$20	1,500	8,800
(\$10 w/ HOT CASH) + \$10	\$20	1,500	8,800
\$20	\$20	1,500	8,800
\$10 × 5	\$50	2,400	5,500
(\$20 × 2) + (\$5 × 2)	\$50	4,000	3,300
\$50 w/ HOT CASH	\$50	2,400	5,500
\$50	\$50	4,000	3,300
\$20 × 5	\$100	24,000	550
(\$50 w/ HOT CASH) × 2	\$100	9,600	1,375
\$100 w/ HOT CASH	\$100	12,000	1,100
\$100	\$100	48,000	275
\$500	\$500	16,000	825
\$5,000	\$5,000	528,000	25

Reveal a "HOT CASH" (HTCSH) symbol, win prize shown under it automatically.

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 Hot Shot 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 Hot Shot, prize money from winning Pennsylvania Hot Shot 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 Hot Shot 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 Hot Shot or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-408. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Pennsylvania Million Dollar Multiplier 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 Million Dollar Multiplier.

2. *Price:* The price of a Pennsylvania Million Dollar Multiplier instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania Million Dollar Multiplier instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The "YOUR NUMBERS" area will feature a "Multiplier" area under each "Prize" area, containing one play symbol. The play symbols and their captions located in the "WINNING 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 (TWYNIN), 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) and 40 (FORTY). The play symbols and their captions located in the "Multiplier" area of the "YOUR NUMBERS" area are: 1X (PRIZE) symbol, 2X (2TIMES) symbol, 4X (4TIMES) symbol, 5X (5TIMES) symbol, 10X (10TIMES) symbol, 20X (20TIMES) symbol and 50X (50TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania Million Dollar Multiplier instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1MILL (ONE MIL) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum, cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, and a 10X (10TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 50X (50TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000

(ONE THO) appears under the matching "YOUR NUMBERS" play symbol, and a 10X (10TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, and a 5X (5TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, and a 50X (50TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, and a 20X (20TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 10X (10TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 5X (5TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (2TIMES) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "Multiplier" area below that prize symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR





of \$20.<sup>00</sup> (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, and a 1X (PRIZE) symbol appears in the “Multiplier” area below that prize symbol, on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, and a 2X (2TIMES) symbol appears in the “Multiplier” area below that prize symbol, on a single ticket, shall be entitled to a prize of \$20.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, and a 1X (PRIZE) symbol appears in the “Multiplier” area below that prize symbol, on a single ticket, shall be entitled to a prize of \$10.

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:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under 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>
\$10 w/ 2X	\$20	10	660,000
\$20 w/ 1X	\$20	15	440,000
(\$20 w/1X) × 2	\$40	50	132,000
(\$10 w/ 2X) × 2	\$40	150	44,000
\$20 w/ 2X	\$40	50	132,000
\$10 w/ 4X	\$40	150	44,000
\$40 w/ 1X	\$40	75	88,000
(\$10 w/ 1X) × 5	\$50	300	22,000
(\$10 w/ 2X) + ((\$10 w/ 1X) × 3)	\$50	150	44,000
(\$20 w/ 2X) + (\$10 w/ 1X)	\$50	150	44,000
(\$10 w/ 4X) + (\$10 w/ 1X)	\$50	300	22,000
\$10 w/ 5X	\$50	150	44,000
\$50 w/ 1X	\$50	150	44,000
(\$40 w/ 2X) + (\$20 w/ 1X)	\$100	100	66,000
\$50 w/ 2X	\$100	150	44,000
\$20 w/ 5X	\$100	150	44,000
\$10 w/ 10X	\$100	150	44,000
\$100 w/ 1X	\$100	300	22,000
(\$10 w/ 1X) × 20	\$200	1,600	4,125
(\$20 w/ 1X) × 10	\$200	1,600	4,125
\$100 w/ 2X	\$200	1,600	4,125
\$50 w/ 4X	\$200	1,600	4,125
\$40 w/ 5X	\$200	1,600	4,125
\$10 w/ 20X	\$200	1,600	4,125
\$200 w/ 1X	\$200	2,400	2,750
(\$40 w/ 1X) × 5 + ((\$20 w/ 1X) × 15)	\$500	4,000	1,650
(\$100 w/ 1X) × 5	\$500	3,000	2,200
(\$200 w/ 2X) + (\$100 w/ 1X)	\$500	4,000	1,650
(\$50 w/ 4X) + ((\$20 w/ 1X) × 15)	\$500	4,000	1,650
\$100 w/ 5X	\$500	2,400	2,750
\$50 w/ 10X	\$500	3,000	2,200
\$10 w/ 50X	\$500	6,000	1,100
\$500 w/ 1X	\$500	4,000	1,650
(\$50 w/ 1X) × 20	\$1,000	12,000	550
(\$500 w/ 1X) × 2	\$1,000	12,000	550
(\$20 w/ 5X) × 10	\$1,000	12,000	550
\$500 w/ 2X	\$1,000	12,000	550
\$200 w/ 5X	\$1,000	8,000	825
\$100 w/ 10X	\$1,000	8,000	825
\$50 w/ 20X	\$1,000	24,000	275
\$20 w/ 50X	\$1,000	8,000	825
\$1,000 w/ 1X	\$1,000	12,000	550
(\$50 w/ 10X) × 20	\$10,000	507,692	13
\$1,000 w/ 10X	\$10,000	388,235	17
\$200 w/ 50X	\$10,000	440,000	15
\$10,000 w/ 1X	\$10,000	440,000	15
(\$1,000 w/ 5X) × 20	\$100,000	1,650,000	4
\$10,000 w/ 10X	\$100,000	2,200,000	3
\$100,000 w/ 1X	\$100,000	2,200,000	3
\$1,000,000 w/ 1X	\$1,000,000	1,320,000	5

Multiply any prize won by the multiplier shown below that prize.

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 Million Dollar Multiplier 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 Million Dollar Multiplier, prize money from winning Pennsylvania Million Dollar Multiplier 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 Million Dollar Multiplier 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 Million Dollar Multiplier or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-409. Filed for public inspection February 21, 2014, 9:00 a.m.]

## Pennsylvania MONOPOLY Jackpot 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 MONOPOLY Jackpot.

2. *Price:* The price of a Pennsylvania MONOPOLY Jackpot instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania MONOPOLY Jackpot instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTY), 14 (FORTY), 15 (FIFTY), 16 (SIXTY), 17 (SEVENTY), 18 (EIGHTY), 19 (NINETY), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE) and 30 (THIRTY). 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 (ELEVEN), 12 (TWELVE), 13 (THIRTY), 14 (FORTY), 15 (FIFTY), 16 (SIXTY), 17 (SEVENTY), 18 (EIGHTY), 19 (NINETY), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE), 30 (THIRTY), GO (WIN200) symbol and a Top Hat (TOPHAT) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” 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), \$200 (TWO HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$250, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Second-Chance “Collect and Win” Game:* The Pennsylvania Lottery will conduct a MONOPOLY Jackpot Second-Chance “Collect and Win” Game for which non-winning Pennsylvania MONOPOLY Jackpot instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania MONOPOLY Jackpot instant lottery game.

### 8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Top Hat (TOPHAT) symbol and a prize symbol of \$250 (TWOHUNFTY) appears in two of the “Prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Top Hat (TOPHAT) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of

the "Prize" areas and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a GO (WIN200) symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Top Hat (TOPHAT) symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Top Hat (TOPHAT) symbol and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in two of the "Prize" areas and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play 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:

*When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching Number.  
Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5	8.57	1,260,000
\$5 x 2	30	360,000
\$10	30	360,000
\$5 x 4	200	54,000
\$10 x 2	150	72,000
\$20	200	54,000
(\$10 x 2) + \$5	300	36,000
\$5 x 5	200	54,000
\$25	200	54,000
\$5 x 8	600	18,000
\$10 x 4	300	36,000
\$20 x 2	600	18,000
\$40	600	18,000
\$5 x 10	600	18,000
\$10 x 5	600	18,000
\$25 x 2	600	18,000
\$50	600	18,000
TOP HAT w/ ((\$25 x 2) + (\$5 x 10))	436.36	24,750
\$25 x 4	1,600	6,750
\$50 x 2	1,600	6,750
\$100	1,600	6,750
TOP HAT w/ ((\$50 x 2) + (\$10 x 10))	12,000	900



When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching Number.  
Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets:
GO w/ \$200	\$200	3,000
\$200	\$200	12,000
TOP HAT w/ (((\$50 x 2) + (\$40 x 10))	\$500	30,000
\$50 x 10	\$500	30,000
((GO w/ \$200) x 2) + \$100	\$500	8,000
\$500	\$500	30,000
TOP HAT w/ (((\$250 x 2) + (\$50 x 10))	\$1,000	60,000
(GO w/ \$200) x 5	\$1,000	30,000
\$1,000	\$1,000	60,000
\$10,000	\$10,000	540,000
\$100,000	\$100,000	1,080,000

Reveal a "GO" (WIN200) symbol, win \$200 instantly.

Reveal a "TOP HAT" (TOPHAT) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

#### 10. Pennsylvania Lottery's MONOPOLY Jackpot Second-Chance "Collect and Win" Game Requirements.

(a) To be eligible for the Pennsylvania Lottery's MONOPOLY Jackpot "Collect and Win" Game ("Game") entrants must be members of the Pennsylvania Lottery VIP Players Club. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> to create a VIP Players Club Member account. Becoming a VIP Players Club member is free.

(b) To enter the Game, entrants must enter the identifying information from at least one non-winning PA-1073 MONOPOLY Jackpot (\$5) instant lottery ticket ("Qualifying Ticket") via the Game's promotional website during the entry period.

(c) The entry period for the Game begins after 11:59:59 p.m. February 23, 2014. The Secretary will announce the end of the entry period via the Game's promotional website. All time references are Eastern Time.

(d) The contents of the entry form must be accurate and complete. Incomplete entry forms cannot be submitted.

(e) Only one claimant per entry allowed.

(f) Entrants must be 18 years of age or older.

(g) Entry is limited to entrants that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(h) The only entry method for the Game is via the Lottery's website at <http://www.palottery.com>. Entries mailed to the Pennsylvania Lottery will be disqualified.

(i) Players may enter unlimited qualifying tickets in the Game.

#### 11. Pennsylvania Lottery's MONOPOLY Jackpot Second-Chance "Collect and Win" Game Play Description.

(a) For each Qualifying Ticket entered in the Game the player will have the opportunity to play a virtual non-prize-determinative Monopoly themed board game that may reveal predetermined instant cash prizes, Monthly Jackpot Entries or Monthly Jackpot Multiplier Entries. Each Qualifying Ticket shall have a predetermined ticket file assigned at the time of printing the ticket that will determine the outcome of the game play.

(b) The player will receive five virtual rolls of the dice for each Qualifying Ticket entered. The number rolled virtually moves the player's game token around the MONOPOLY game board. The play sequence will result in a player's game token landing on one of three types of game board spaces. The three types of game board spaces and the resulting play action is as follows:

(i) The property spaces are the MONOPOLY color-coded properties, Railroads and the Utility spaces. Properties are collected by the player. When the player's game token lands on a property space, the color-coded property is added to the player's inventory. There are 22 properties identified by color, four Railroads and two Utility spaces. When a player completes a property set by collecting all the properties of the same color group, all the Railroads or both the Utilities, the play sequence displays a wheel spin. The wheel spin will reveal instant cash prizes or Monthly Jackpot Drawing Entries.

(ii) The card spaces are the MONOPOLY Chance and Community Chest cards. Chance and Community Chest cards may award properties or Monthly Jackpot Multiplier Entries (2X or 10X). The cards may also advance the player's game token to a specific location on the game board or result in no action at all.

(iii) The non-event spaces are "GO," "Luxury Tax," "Income Tax," "Just Visiting" and "Free Parking." Each new game play begins on the "GO" space, otherwise landing on these spaces results in no action at all.

(c) Players may review prizes won, Monthly Jackpot Entries, Monthly Jackpot Multiplier Entries and their property inventory via the Game's promotional website.

#### 12. Pennsylvania Lottery's MONOPOLY Jackpot Second-Chance "Collect and Win" Game Prizes Available to be Won, Determination of Winners and Odds of Winning.

(a) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the play shall result in an award of an instant cash prize, the play sequence will show the player landing on a Chance or Community Chest card space. The Chance or Community Chest card will reveal a complete property set and a resulting wheel spin sequence will reveal the cash prize for that property set. The following table sets forth the approximate number of winners, prize amounts, and approximate odds of winning an instant cash prize:

<i>Property Set</i>	<i>Approximate Number of Winners</i>	<i>Prize Amount</i>	<i>Approximate Odds Based on All Tickets Printed Are 1 in:</i>
Brown	3,240	\$25. <sup>00</sup>	3,333
Utility	1,350	\$40. <sup>00</sup>	8,000
Light Blue	1,710	\$50. <sup>00</sup>	6,316
Violet	720	\$75. <sup>00</sup>	15,000
Orange	630	\$100. <sup>00</sup>	17,143
Railroad	450	\$100. <sup>00</sup>	24,000
Red	360	\$125. <sup>00</sup>	30,000
Yellow	270	\$250. <sup>00</sup>	40,000
Green	180	\$500. <sup>00</sup>	60,000
Dark Blue	90	\$2,500. <sup>00</sup>	120,000

(b) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the play sequence shall result in the player acquiring a property or properties, but not being awarded an instant cash prize, the play sequence will show the player landing on the property space(s) for the designated property or properties. If the play sequence results in the player acquiring a completed property set or acquiring a property or properties that form a completed property set when combined with the player's inventory of previously acquired properties, then the play sequence will proceed to a wheel spin. The wheel spin will reveal the sum of the number of Monthly Jackpot Entries assigned to each property in the player's completed property set that triggered the wheel spin sequence. The Monthly Jackpot Entries awarded will be valid only for the next available Monthly Jackpot Drawing. Completing a property set, as described in this subsection, may require submitting multiple Qualifying Tickets. The number of Monthly Jackpot Entries assigned to a property is variable and predetermined at the time the Qualifying Ticket is printed. The following table sets forth the approximate number of winners, range of available Monthly Jackpot Entries per property set, and the approximate odds of winning Monthly Jackpot Entries:

<i>Property Set</i>	<i>Approximate Number of Property Set Winners</i>	<i>Number of Monthly Jackpot Entries</i>	<i>Approximate Odds Based on All Tickets Printed Are 1 in:</i>
Brown	1,080,000	2 to 4	10
Utility	1,080,000	2 to 4	10
Light Blue	1,080,000	3 to 6	10
Violet	1,080,000	3 to 6	10
Orange	1,080,000	3 to 6	10
Railroad	1,080,000	4 to 8	10
Red	1,080,000	3 to 9	10
Yellow	1,080,000	6 to 9	10
Green	1,080,000	6 to 9	10
Dark Blue	1,080,000	6 to 10	10

(c) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the play shall result in the award of a Monthly Jackpot Multiplier Entry, the play sequence will reveal the player landing on a Chance or Community Chest card space. The Chance or Community Chest Card will reveal the Monthly Jackpot Multiplier Entry of either 2X or 10X. A Monthly Jackpot Multiplier Entry is a single entry valid for only the next available Monthly Jackpot Drawing. A Monthly Jackpot Multiplier Entry does not multiply Monthly Jackpot Entries awarded under subsection (b) above. The following table sets forth the approximate number of winners and the approximate odds of winning a Monthly Jackpot Multiplier Entry:

<i>Prize</i>	<i>Approximate Number of Winners</i>	<i>Approximate Odds Based on All Tickets Printed Are 1 in:</i>
2X Monthly Jackpot Multiplier Entry	9,000	1,200
10X Monthly Jackpot Multiplier Entry	4,500	2,400

**13. Pennsylvania Lottery's MONOPOLY Jackpot Second-Chance "Collect and Win" Game Monthly Jackpot Drawings.**

(a) Monthly Jackpot Drawings will be held on or about the first Tuesday after the first Monday of each month from among the entries received during the most recently ended Monthly Jackpot Drawing Entry Period. Eligible entries will include Monthly Jackpot Drawing Entries and Monthly Jackpot Multiplier Entries from the lotteries participating in the MONOPOLY Jackpot "Collect and Win" Game. An entry is only eligible for one Monthly Jackpot Drawing.

(b) The first entry selected in each Monthly Jackpot Drawing will be entitled to the Monthly Jackpot prize. If

the entry selected is a 2X Monthly Jackpot Multiplier Entry, the Monthly Jackpot prize awarded will be multiplied by two. If the entry selected is a 10X Monthly Jackpot Multiplier Entry, the Monthly Jackpot prize awarded will be multiplied by ten. The selection of a 10X Monthly Jackpot Multiplier will result in a minimum prize of \$1,000,000. Monthly Jackpot prizes less than \$1,000,000 shall be paid as a lump-sum cash payment, less applicable federal withholding taxes. Monthly Jackpot prizes of \$1,000,000 or greater shall be paid in 20 equal annual installments, less applicable federal income tax withholding.

(c) The Monthly Jackpot is a progressive jackpot. Each Monthly Jackpot will start at \$2,500 and will increase

incrementally based on sales data collected from lotteries participating in the Game.

(d) Monthly Jackpot Drawing Entry Periods begin on the first day of each month and end on the last day of the month.

(e) The odds of winning a Monthly Jackpot Drawing depend upon the number of entries received for the drawing.

(f) A computer-generated randomizer will be used to select the Monthly Jackpot Drawing winners.

(g) Winners of the instant cash prize awarded in the Game must claim their prize within one year of the date the prize was won. If no claim is made within one year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(h) Pennsylvania winners of a Monthly Jackpot Drawing must claim their prize within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

**14. Pennsylvania Lottery's MONOPOLY Jackpot Second-Chance "Collect and Win" Game Restrictions.**

(a) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Game. The Lottery assumes no responsibility for entries that are not entered into the Game because of incompatible internet browsers or other technical issues related to the internet connected device used to make entry.

(b) If any discrepancy exists between these Game rules and any material describing the Game, these Game rules shall govern.

(c) Employees of the Pennsylvania Lottery and its agents, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(d) If, for any reason, the Game 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 drawing, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Game.

(e) All entries shall be subject to verification by the Pennsylvania Lottery.

(f) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(g) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(h) The payment of a prize awarded in the Game 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).

(i) By entering, an entrant agrees at all times to defend, indemnify, release and hold harmless the Pennsylvania Lottery, as Sponsor, its advertising and promotion agencies, Scientific Games International Inc. and MDI Entertainment, LLC and Hasbro, Inc. from and against any and all claims, actions, liabilities, injuries, death, accidents, losses or damages of any kind resulting directly or indirectly from any and all activity related to entering and/or participating in this Game or from the acceptance or use of any prize. Each winner agrees that the Pennsylvania Lottery and its advertising and promotion agencies, Scientific Games International Inc., MDI Entertainment, LLC and Hasbro, Inc. and their respective agents and employees shall not be liable for injury, loss or damage of any kind resulting from participation in these drawings or from acceptance or use of the prize awarded.

**15. Retailer Incentive Awards:** *The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania MONOPOLY Jackpot instant lottery game tickets.*

**16. Unclaimed Prize Money:** For a period of 1 year from the announced close of Pennsylvania MONOPOLY Jackpot, prize money from winning Pennsylvania MONOPOLY Jackpot 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 MONOPOLY Jackpot 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.

**17. 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.

**18. 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 MONOPOLY Jackpot or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-410. Filed for public inspection February 21, 2014, 9:00 a.m.]

## Pennsylvania Three To Win 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 Three To Win.

**2. Price:** The price of a Pennsylvania Three To Win instant lottery game ticket is \$2.

**3. Play Symbols:** Each Pennsylvania Three To Win instant lottery game ticket will contain one play area consisting of "PULL 1," "PULL 2," "PULL 3," "PULL 4," "PULL 5," "PULL 6," "PULL 7" and "PULL 8." Each "PULL" is played separately. The play symbols and their



captions, located in the play area are: an Apple (APPLE) symbol, Gold Bar (BAR) symbol, Bell (BELL) symbol, Strawberries (BERRY) symbol, Bow Tie (BOW) symbol, Chest (CHEST) symbol, Clover (CLOVER) symbol, Coat (COAT) symbol, Stack of Coins (COINS) symbol, Crown (CROWN) symbol, Diamond (DMND) symbol, Gift (GIFT) symbol, Grapes (GRAPES) symbol, House (HOUSE) symbol, Key (KEY) symbol, Lemon (LEMON) symbol, Melon (MELON) symbol, Money (MONEY) symbol, Necklace (NKLACE) symbol, Piggy Bank (PIGBNK) symbol, Pineapple (PINAPLE) symbol, Pot of Gold (POT) symbol, Rainbow (RAINBW) symbol, Ring (RING) symbol, Safe (SAFE) symbol, Horseshoe (SHOE) symbol, Star (STAR) symbol, 7 (SVN) symbol, Wallet (WALLET) symbol and a \$ (DLRSN) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.<sup>00</sup> (FIFTN), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$30,000 (TRY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$100, \$500, \$1,000 and \$30,000. The player can win up to 8 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Three To Win instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$30,000 (TRY THO) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with three \$ (DLRSN) symbols in the same "PULL," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with three \$ (DLRSN) symbols in the same "PULL," and a prize symbol of \$20.<sup>00</sup>

(TWENTY) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$60.

(g) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets with three \$ (DLRSN) symbols in the same "PULL," and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets with three \$ (DLRSN) symbols in the same "PULL," and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets with three \$ (DLRSN) symbols in the same "PULL," and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$12.

(m) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with three \$ (DLRSN) symbols in the same "PULL," and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$6.

(o) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets with three like play symbols in the same "PULL," and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area of that "PULL," on a single ticket, shall be entitled to a prize of \$2.

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:

Get 3 Like Symbols Across The Same Pull, Win Prize Shown For That Pull. Win With:		Approximate Odds Are	Approximate No. Of Winners Per 10,800,000 Tickets
	Win:	1 In:	
\$2	\$2	9.38	1,152,000
\$2 x 2	\$4	37.5	288,000
\$4	\$4	37.5	288,000
\$5	\$5	37.5	288,000
\$2 x 5	\$10	300	36,000
\$5 x 2	\$10	375	28,800
(\$2 w/ Three \$'s) + (\$2 x 2)	\$10	214.29	50,400
\$10	\$10	375	28,800

<i>Get 3 Like Symbols Across The Same Pull, Win Prize Shown For That Pull. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
\$5 × 3	\$15	300	36,000
\$5 w/ Three \$'s	\$15	187.5	57,600
\$15	\$15	500	21,600
\$5 × 4	\$20	1,500	7,200
\$10 × 2	\$20	1,500	7,200
(\$5 w/ Three \$'s) + \$5	\$20	500	21,600
(\$4 w/ Three \$'s) + (\$2 w/ Three \$'s) + \$2	\$20	250	43,200
\$20	\$20	1,500	7,200
\$5 × 8	\$40	2,000	5,400
\$10 × 4	\$40	3,000	3,600
(\$10 w/ Three \$'s) + \$10	\$40	1,200	9,000
\$40	\$40	3,000	3,600
(\$20 × 4) + (\$5 × 4)	\$100	4,000	2,700
(\$20 w/ Three \$'s) + \$40	\$100	3,429	3,150
(\$20 w/ Three \$'s) + (\$10 w/ Three \$'s) + \$10	\$100	3,429	3,150
\$100	\$100	6,000	1,800
(\$100 w/ Three \$'s) + (\$100 × 2)	\$500	30,000	360
\$500	\$500	30,000	360
(((\$100 w/ Three \$'s) × 2) + (\$100 × 4)	\$1,000	120,000	90
\$1,000	\$1,000	120,000	90
\$30,000	\$30,000	720,000	15

Get 3 "\$" (DLRSN) symbols in the same "PULL," win triple the prize shown for that "PULL."

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 Three To Win 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 Three To Win, prize money from winning Pennsylvania Three To Win 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 Three To Win 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 Three To Win or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-411. Filed for public inspection February 21, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-6920	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Biennial Renewal Fees	2/6/14	3/13/14

GEORGE D. BEDWICK,  
*Vice Chairperson*

[Pa.B. Doc. No. 14-412. Filed for public inspection February 21, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Alleged Violation of Insurance Laws; Joseph Alexander Biles; Doc. No. SC14-01-006**

Notice is hereby given of the Order to Show Cause issued on February 11, 2014, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(2) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P. S. §§ 310.11(2) and (20) and 310.78(a)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 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) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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 Fleischauer, Agency ADA Coordinator at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-413. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Alleged Violation of Insurance Laws; John Albert Funari, Jr.; Doc. No. SC14-01-005**

Notice is hereby given of the Order to Show Cause issued on February 11, 2014, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: section 6(5), (12) and (13) of the act of December 20, 1983 (P. L. 260, No. 72) (63 P. S. § 1606(5), (12) and (13)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 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) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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 Fleischauer, Agency ADA Coordinator at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-414. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application for Approval to Acquire Control of Professional Casualty Association**

DSN Holdings, Inc. has filed an application for approval to acquire control of Professional Casualty Association, a domestic reciprocal exchange insurance company. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-415. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application for Approval of Certificates of Authority as a Nonprofit Hospital Plan and a Nonprofit Professional Health Services Plan Submitted by Highmark Benefits Group, Inc.**

Highmark Benefits Group, Inc., a domestic nonprofit corporation, has applied for Certificates of Authority to operate both a hospital plan and a professional health services plan. The filing was made under 40 Pa.C.S. Part III, Article A (relating to health plan corporations).

Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA



17120, fax (717) 787-8557, cbybee@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-416. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Application for Approval of Certificates of Authority as a Nonprofit Hospital Plan and a Nonprofit Professional Health Services Plan Submitted by Highmark Coverage Advantage, Inc.**

Highmark Coverage Advantage, Inc., a domestic nonprofit corporation, has applied for Certificates of Authority to operate both a hospital plan and a professional health services plan. The filing was made under 40 Pa.C.S. Part III, Article A (relating to health plan corporations).

Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-417. Filed for public inspection February 21, 2014, 9:00 a.m.]

### **Autism Spectrum Disorders Coverage—Maximum Benefit Adjustment; Notice 2014-02**

Section 635.2 of The Insurance Company Law of 1921 (40 P. S. § 764h), added by section 3 of the act of July 9, 2008 (P. L. 885, No. 62), requires:

After December 30, 2011, the Insurance Commissioner shall, on or before April 1 of each calendar year, publish in the *Pennsylvania Bulletin* an adjustment to the maximum benefit equal to the change in the United States Department of Labor Consumer Price Index for All Urban Consumers (CPI-U) in the preceding year, and the published adjusted maximum benefit shall be applicable to the following calendar years to health insurance policies issued or renewed in those calendar years.

The CPI-U for the year preceding December 30, 2013, was 1.5%. Accordingly, the maximum benefit, previously

adjusted to \$37,710 per year, is hereby adjusted to \$38,276 for policies issued or renewed in calendar year 2014.

Questions regarding this notice may be directed to Peter Camacci, Director, Bureau of Life, Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-4192, ra-rateform@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-418. Filed for public inspection February 21, 2014, 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 Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Shane Martin; file no. 13-188-155256; Progressive Specialty Insurance Company; Doc. No. P14-01-019; March 25, 2014, 10 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. 14-419. Filed for public inspection February 21, 2014, 9:00 a.m.]

## Workers' Compensation Security Fund Assessment; Notice 2014-03

The Insurance Department (Department) has determined that no contributions will be required for the Workers' Compensation Security Fund (Fund).

Section 9(1) of the Workers' Compensation Security Fund Act (act) (77 P.S. § 1059(1)) states "If, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000." As of the evaluation of December 31, 2013, the balance of the fund exceeded \$500,000,000.

Therefore, insurers writing workers' compensation insurance in this Commonwealth will not be required to submit any contributions for the Fund in 2014.

The act may be viewed at [www.ncigf.org](http://www.ncigf.org), under "Resources/Publications/GF Laws"; and 31 Pa. Code Chapter 165 (relating to Workers' Compensation Security Fund) may be viewed at [www.pacode.com](http://www.pacode.com). Additional information regarding the fund is located on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

No acknowledgement of this notice is required.

MICHAEL F. CONSEDINE,  
Insurance Commissioner

[Pa.B. Doc. No. 14-420. Filed for public inspection February 21, 2014, 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 March 10, 2014. 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.

### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2013-2391054. The Wright Transportation, LLC** (749 Hamil Road, Verona, Allegheny County, PA 15147) persons in limousine service, from points in Allegheny County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2400415. Friendly Services** (2554 Creek Road, Langhorne, PA 19053) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from the City of Philadelphia to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2400460. WBS Transport, LLC** (118 Summer Lane, Lititz, PA 17543) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Berks, Chester, Dauphin, Lancaster, Lebanon and York, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

### 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 household goods by transfer of rights as described under the application.*

**A-2013-2392114. Kissel Moving & Storage, LLC** (1254 Voskamp Street, Pittsburgh, PA 15212) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, which is to be a transfer of all the rights authorized under the certificate of Public Convenience issued at A-00120714 on October 4, 2004, to Mildred A. Kissel, t/a Kissel Moving and Storage.

### Application of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

**A-2014-2400108. AAAA Moonlight Taxicab Co., LLC** (1312 Bosler Place, Carlisle, PA 17013) for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00118873, F2 authorizing the transportation of persons upon call or demand in the Borough of Carlisle, Cumberland County, and within an airline distance of 10 statute miles of the limits thereof.

### Application of the following for the approval of the *right and privilege to discontinue/abandon operating as broker for transportation of persons and for cancellation of the license as described under the application.*

**A-2013-2366731. Cuella K. and Larry L. Strauss, Copartners, t/d/b/a Cue's Travel & Fun** (418 Blandon Meadows Parkway, Blandon, Berks County, PA 19510) for the discontinuance of service and cancellation of their certificate as a broker, to arrange for the transportation of persons and their baggage between points in the Township of Maiden Creek, Berks County, and within an airline

distance of 50 statute miles of the limits thereof, and from points in said territory, to points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-421. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2405127. Verizon North, LLC and One Voice Communications, Inc.** Joint petition of Verizon North, LLC and One Voice Communications, Inc. for approval of the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and One Voice Communications, Inc., by its counsel, filed on February 4, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and One Voice Communications, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-422. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2405104. Verizon Pennsylvania, LLC and One Voice Communications, Inc.** Joint petition of Verizon Pennsylvania, LLC and One Voice Communications, Inc. for approval of the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and One Voice Communications, Inc., by its counsel, filed on February 4, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and One Voice Communications, Inc. Joint petition are available for inspection and copying at the Office of the Secretary

between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-423. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Wastewater Service

**A-2014-2404540. KH Wastewater Treatment Company, LLC.** Application of KH Wastewater Treatment Company, LLC for approval of the abandonment of wastewater service to the 23.2-acre tract of land previously planned to be subdivided into the Millbrook Estates subdivision.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 10, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m. Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address:

*Applicant:* KH Wastewater Treatment Company, LLC

*Through and By Counsel:* Charles B. Zwally, Esquire, Randall G. Hurst, Esquire, Mette, Evans & Woodside, 3401 North Front Street, P. O. Box 5950, Harrisburg, PA 17110-0950

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-424. Filed for public inspection February 21, 2014, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Limousine Stock Transfer Application for Service in the City of Philadelphia

Permanent authority to render luxury limousine service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. Israel Ziano has applied to transfer 50% of the stock of Crown Limousine, Inc. (CPC No. 1020995-07) held by Itzhak Michalashvilli. Crown Limousine, Inc. holds luxury limousine rights to transport persons in limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Mr. Israel Ziano**, 15 Joshua Drive, Richboro, PA 18954; Crown Limousine, Inc., registered with the Department of State on November 30, 2006.



*Attorney:* Daniel A. Mancini, Esq., Hoffman & Mancini, PC, 1814 Route 70 East, Cherry Hill, NJ 08003

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by March 10, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-425. Filed for public inspection February 21, 2014, 9:00 a.m.]

**Jai Luxmi, Inc.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on January 23, 2006.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by March 10, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-427. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Bira Cab Corp. (CPC No. 1021756-01, Medallion P-1087) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**SHH Cab Corp.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on May 20, 2011.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by March 10, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-426. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Pars Transport, Inc. (CPC No. 1000057-01, Medallion P-0756) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Satgur Cab Co.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on June 12, 1996.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by March 10, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-428. Filed for public inspection February 21, 2014, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Pars Transport, Inc. (CPC No. 1000057-01, Medallion P-0814) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

## STATE BOARD OF NURSING

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Gordon E. McSherry, RN; File No. 13-51-07224; Doc. No. 1432-51-13**

On September 30, 2013, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause,

before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Professional Nursing Law, Act of May 22, 1951, P.L. 317, ("Act"). Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

#### Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary  
Department of State  
2601 North Third Street  
P. O. Box 2649  
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

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