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## March 21, 2015 (Pages 1347-1482)

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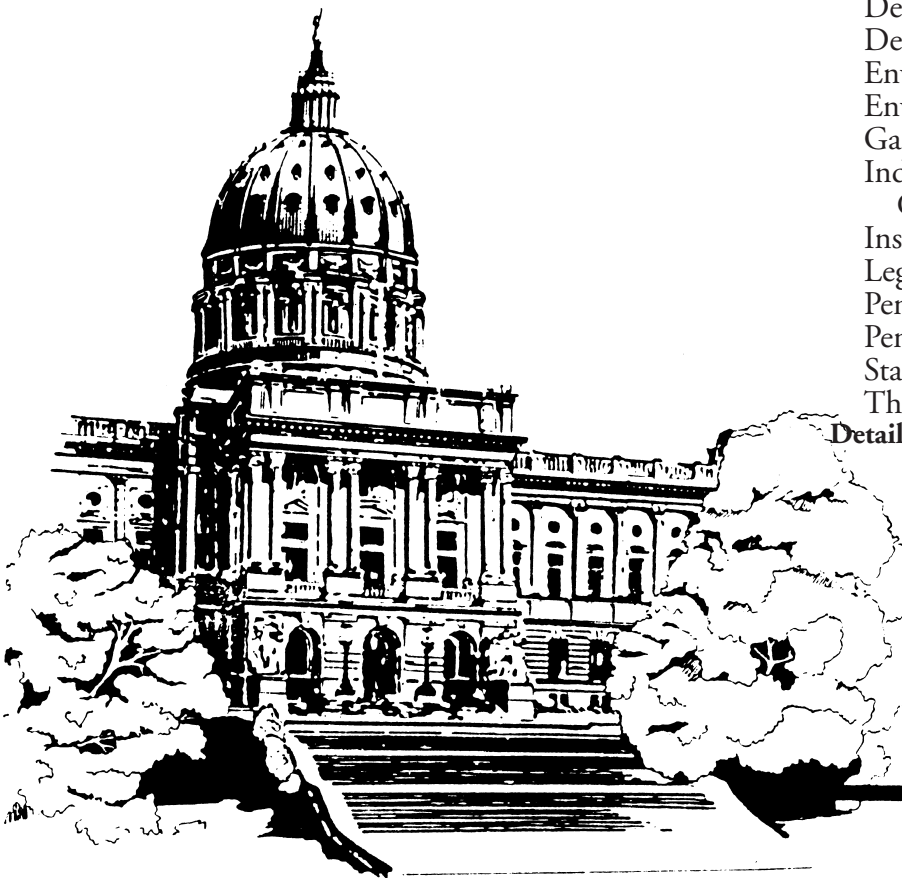
# PENNSYLVANIA BULLETIN

Volume 45  
Saturday, March 21, 2015 • Harrisburg, PA  
Number 12  
Pages 1347—1482

## Agencies in this issue

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Department of Agriculture  
Department of Banking and Securities  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Department of Transportation  
Environmental Hearing Board  
Environmental Quality Board  
Game Commission  
Independent Regulatory Review  
Commission  
Insurance Department  
Legislative Reference Bureau  
Pennsylvania Gaming Control Board  
Pennsylvania Public Utility Commission  
State Conservation Commission  
Thaddeus Stevens College of Technology

Detailed list of contents appears inside.



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

**No. 484, March 2015**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE 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 the history of regulations. 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/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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 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. A fiscal note provides 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 5 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 5 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 2015.

## 4 Pa. Code (Administration)

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## 10 Pa. Code (Banking and Securities)

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## 255 Pa. Code (Local Court Rules)

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# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CHS. 1910, 1915, 1920 AND 1930 ]

**Order Amending Rules 1910.11, 1910.12, 1915.4-2, 1915.4-3, 1920.51, 1930.4 and 1930.8 of the Rules of Civil Procedure; No. 617 Civil Procedural Rules Doc.**

#### Order

*Per Curiam*

*And Now*, this 4th day of March, 2015, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 44 Pa.B. 4338 (July 12, 2014):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.11, 1910.12, 1915.4-2, 1915.4-3, 1920.51, 1930.4 and 1930.8 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on April 3, 2015.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

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

(a)(1) The office conference shall be conducted by a conference officer.

(2) [ A ] **Any lawyer serving as a conference officer [ who is a lawyer ]** employed by, **or under contract with**, a judicial district **or appointed by the court** shall not practice family law before a conference officer, [ permanent ] hearing officer [ or ], permanent or standing master [ **employed by** ], **or judge of the same judicial district.**

\* \* \* \* \*

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

\* \* \* \* \*

(b)(1) At the conclusion of a conference attended by both parties, if an agreement for support has not been reached, and the conference and hearing are not scheduled on the same day, the court, without hearing the parties, shall enter an interim order calculated in accordance with the guidelines and substantially in the form set forth in Rule 1910.27(e), and the parties shall be given notice of the date, time and place of a hearing. A record hearing shall be conducted by a hearing officer who must be a lawyer.

\* \* \* \* \*

(3) [ A ] **Any lawyer serving as a hearing officer employed by, or under contract with**, a judicial district **or appointed by the court** shall not practice family law before a conference officer, hearing officer [ or ], permanent or standing master [ **employed by** ], **or judge of the same judicial district.**

\* \* \* \* \*

#### CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

##### **Rule 1915.4-2. Partial Custody. Office Conference. Hearing. Record. Exceptions. Order.**

\* \* \* \* \*

(b) *Hearing.*

(1) The hearing shall be conducted by a hearing officer who must be a lawyer, and a record shall be made of the testimony. A hearing officer who is a lawyer employed by, **or under contract with**, a judicial district **or appointed by the court** shall not practice family law before a conference officer, hearing officer [ or ], permanent or standing master [ **employed by** ], **or judge of the same judicial district.**

\* \* \* \* \*

##### **Rule 1915.4-3. Non-Record Proceedings. Trials.**

(a) *Non-Record Proceedings.* In those jurisdictions that utilize an initial non-record proceeding such as a conciliation conference or office conference, if no agreement is reached at the conclusion of the proceeding, the conference officer or conciliator shall promptly notify the court that the matter should be listed for trial. **Any lawyer employed by, or under contract with, a judicial district or appointed by the court to serve as a conciliator or mediator or to preside over a non-record proceeding shall not practice family law before a conference officer, hearing officer, permanent or standing master, or judge of the same judicial district.**

\* \* \* \* \*

#### CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

##### **Rule 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing.**

(a)(1) The court may hear the testimony or, upon its own motion or the motion of either party, may appoint a master with respect to all or any of the matters specified in subdivision (a)(2)(i) to consider same and issue a report and recommendation. The order of appointment shall specify the matters which are referred to the master.

(2)(i) The court may appoint a master in an action of divorce under Section 3301(a), (b) and (d)(1)(ii) of the Divorce Code, an action for annulment, and the claims for alimony, alimony pendente lite, equitable distribution of marital property, child support, partial custody or visitation, or counsel fees, costs and expenses, or any aspect thereof.

(ii) If there are no claims other than divorce, no master may be appointed to determine grounds for divorce if either party has asserted grounds for divorce pursuant to § 3301(c) or § 3301(d)(1)(i) of the Divorce Code. A master may be appointed to hear ancillary economic claims in a divorce action pursuant to § 3301(c) or § 3301(d) of the

Divorce Code. The master may be appointed to hear ancillary economic claims prior to the entry of a divorce decree if grounds for divorce have been established.

(iii) No master may be appointed in a claim for legal, physical or shared custody or paternity.

**Official Note:** Section 3321 of the Divorce Code, 23 [ Pa.C.S.A. ] Pa.C.S. § 3321, prohibits the appointment of a master as to the claims of custody and paternity.

(3) The motion for the appointment of a master and the order shall be substantially in the form prescribed by Rule 1920.74.

(4) A permanent or standing master employed by, **or under contract with**, a judicial district **or appointed by the court** shall not practice family law before a conference officer, hearing officer [ **or** ], permanent or standing master [ **employed by** ], **or judge of** the same judicial district.

\* \* \* \* \*

#### CHAPTER 1930. RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY

##### Rule 1930.4. Service of Original Process in Domestic Relations Matters.

(a) *Persons Who May Serve.* Original process in all domestic relations matters may be served by the sheriff or a competent adult:

\* \* \* \* \*

(3) or pursuant to special order of court.

**Official Note:** See Rule 76 for the definition of “competent adult.” Service upon an incarcerated person in a domestic relations action must also include notice of any hearing in such action, and specific notice of the incarcerated individual’s right to apply to the court for a writ of habeas corpus ad testificandum to enable him or her to participate in the hearing. The writ is available where an incarcerated individual wishes to testify as provided by statute or rule, as well as where the individual’s testimony is sought by another. *Vanaman v. Cowgill*, [ **363 Pa. Super. 602**, ] 526 A.2d 1226 (Pa. Super. 1987). See 23 [ Pa.C.S.A. ] Pa.C.S. § 4342(j) and Rule 1930.3. In determining whether a writ of habeas corpus ad testificandum should be issued, a court must weigh the factors set forth in *Salemo v. Salemo*, [ **381 Pa. Super. 632**, ] 554 A.2d 563 (Pa. Super. 1989).

\* \* \* \* \*

##### Rule 1930.8. Self-Represented Party.

\* \* \* \* \*

(e) The assertion of self-representation shall not delay any stage of the proceeding.

(f) **The entry of appearance of a self-represented party shall be substantially in the following form:**

#### [ CAPTION ]

##### ENTRY OF APPEARANCE OF SELF-REPRESENTED PARTY PURSUANT TO Pa.R.C.P. No. 1930.8

I, \_\_\_\_\_, Plaintiff or Defendant (circle one), represent myself in the within action.

##### REMOVAL OR WITHDRAWAL OF COUNSEL OF RECORD (If Applicable)

\_\_\_\_\_ Remove \_\_\_\_\_, Esq., as my attorney of record.

\_\_\_\_\_ Withdraw my appearance for the filing party.

\_\_\_\_\_ Esq. (Print name) ID# \_\_\_\_\_

\_\_\_\_\_ Signature DATE: \_\_\_\_\_

I understand that I am under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.

All pleadings and legal papers can be served on me at the address listed below, which may or may not be my home address pursuant to Rule 1930.8:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
FAX

\_\_\_\_\_  
Date

**THE PARTY FILING THIS ENTRY OF APPEARANCE MUST PROVIDE NOTICE BY SENDING A COPY TO ALL PARTIES AND ATTORNEYS, INCLUDING THE ATTORNEY REMOVED FROM THE CASE.**

**Official Note:** This form cannot be used when filing for support through the Department of Public Welfare Bureau of Child Support Enforcement's E-Services program. An entry of appearance form is available on the E-Services site for individuals filing through that program.

#### Explanatory Comment—2013

Withdrawal of appearance by counsel of record **without the entry of appearance by a self-represented party** is governed by Pa.R.C.P. No. 1012. Service of original process in domestic relations matters is governed by Pa.R.C.P. No. 1930.4. Service of legal papers other than original process is governed by Pa.R.C.P. No. 440.

[Pa.B. Doc. No. 15-493. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CHS. 300 AND 500 ]

#### Proposed Amendment of the Official Notes to Pa.R.C.P.M.D.J. Nos. 316, 322, 324, 509 and 514

The Minor Court Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of the Official Notes to Pa.R.C.P.M.D.J. Nos. 316, 322, 324, 509 and 514, addressing correction of data errors, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel  
Minor Court Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9526  
minorrules@pacourts.us

All communications in reference to the proposal should be received by April 29, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Minor Court Rules Committee*

BRADLEY K. MOSS,  
*Chair*

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

#### Rule 316. Amendment to Complaint.

\* \* \* \* \*

**Official Note:** It [ was ] is felt that the usual notice requirements involved with respect to amendments made prior to the hearing are too difficult and burdensome to be made applicable to magisterial district court proceedings. Consequently, this rule forbids amendments other than those made at the hearing in the presence of the adverse party. **Nothing in this rule is intended to prevent a magisterial district court from correcting its own typographical or data entry errors. A party seeking to correct a data error in an electronic case record shall submit a written request for correction to the magisterial district court that made the data error. See Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania, Section 6.00, Correcting Data Errors, 204 Pa. Code § 213.78.**

#### Rule 322. Judgment.

\* \* \* \* \*

**Official Note:** The five day provision of this rule is in keeping with the general principle of insuring the expeditious handling of these actions. A general provision for costs has also been included. **A party seeking to correct a data error in an electronic case record shall submit a written request for correction to the magisterial district court that made the data error. See Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania, Section 6.00, Correcting Data Errors, 204 Pa. Code § 213.78.**

#### Rule 324. Notice of Judgment or Dismissal and the Right to Appeal.

\* \* \* \* \*

**Official Note:** As to paragraph B(2), see Rule 402D and Note. As to paragraph B(3), see Rule 341. **A party seeking to correct a data error in an electronic case record shall submit a written request for correction to the magisterial district court that made the data error. See Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania, Section 6.00, Correcting Data Errors, 204 Pa. Code § 213.78.**

#### CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY

#### Rule 509. Amendments to Complaint.

\* \* \* \* \*

**Official Note:** [ This rule is the same as Rule 316 of the civil rules. ] It is felt that the usual notice requirements involved with respect to amendments made prior to the hearing are too difficult and burdensome to be made applicable to magisterial district court proceedings. Consequently, this rule forbids amendments other than those made at the hearing in the presence of the adverse party. Noth-

ing in this rule is intended to prevent a magisterial district court from correcting its own typographical or data entry errors. A party seeking to correct a data error in an electronic case record shall submit a written request for correction to the magisterial district court that made the data error. See Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania, Section 6.00, Correcting Data Errors, 204 Pa. Code § 213.78.

**Rule 514. Judgment; Notice of Judgment or Dismissal and the Right to Appeal.**

\* \* \* \* \*

**Official Note:** Paragraph A of this rule requires that the plaintiff appear and give testimony to prove the complaint before the magisterial district judge can enter judgment against the defendant, even when the defendant fails to appear for the hearing. The magisterial district judge may not enter a default judgment in a possessory action, including a judgment for money only. See Rule 512A and Note. The various issues that the magisterial district judge must determine at the hearing include: whether notice to quit was given to the defendant in accordance with law or that no notice was required under the terms of the lease; the amount or rent due, if any; damages to the leasehold premises, if any; the amount found to constitute the monthly rental, and; the amount of the security deposit held by the landlord, if any.

As to the notice to quit requirement, see Section 501 of The Landlord and Tenant Act of 1951, 68 P.S. § 250.501. See also *Patrycia Bros., Inc. v. McKeefrey*, 38 Pa. D. & C.2d 149 (Delaware County C.P. 1966).

The separate entries provided in paragraph A are made necessary as a result of the rental deposit provisions for appeal or certiorari contained in Rules 1008B and 1013B, as well as the wage attachment provisions contained in Section 8127 of the Judicial Code, 42 Pa.C.S. § 8127.

As to paragraph D(2), see Rule 402D and Note. As to paragraph D(3), see Rule 341.

**A party seeking to correct a data error in an electronic case record shall submit a written request for correction to the magisterial district court that made the data error. See Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania, Section 6.00, Correcting Data Errors, 204 Pa. Code § 213.78.**

**REPORT**

**Proposed Amendment of the Official Notes to Pa.R.C.P.M.D.J. Nos. 316, 322, 324, 509 and 514**

**Correction of Data Errors**

**I. Introduction**

The Minor Court Rules Committee (“Committee”) is planning to propose to the Supreme Court of Pennsylvania the amendment of the Official Notes to Pa.R.C.P.M.D.J. Nos. 316, 322, 324, 509 and 514. These rules address amendment of the complaint, as well as entry of judgment by the magisterial district court. The Committee is proposing to add a reference to the Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania to the Official Notes of the above referenced rules in order to clarify the procedure for seeking correction of data errors.

**II. Discussion**

The Committee received correspondence from an attorney who expressed concern at the difficulties he encountered in magisterial district courts in correcting what he characterized as typographical errors made by the courts. The attorney indicated that the problem arose when a suffix (e.g., Sr. or Jr.) is in the party’s name, and is reflected on the complaint, but court staff entered the party name into the Magisterial District Justice System (“MDJS”) without the suffix. Likewise, the misspelling of a party’s name when entering it into the MDJS could create a similar problem. The attorney reported that some magisterial district judges did not think that they had the authority to correct a record when advised of a data entry error.

The Committee discussed the correspondence, and agreed that magisterial district courts have the authority to correct their own typographical errors. The Committee further agreed that a request for such a correction should not fall under the general prohibition on seeking an amendment to a complaint. See Pa.R.C.P.M.D.J. Nos. 316, 509. While considering various options, the Committee was reminded of the Court’s adoption of the Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania (“Policy”),<sup>1</sup> and, specifically, of the section of the Policy addressing data errors. The Committee agreed that referencing the Policy, and the procedures for requesting data error correction, in the Rules would be helpful to the bench, bar and litigants.

Additionally, the Committee is concurrently seeking comments on a proposal that would rescind the rules governing writs of certiorari and making correlative rule changes, including changes to Rules 514. The Committee has not reprinted those proposed changes in this publication, but will ensure that any final recommendation to the Court on this matter conforms to the current status of that proposal.

**III. Proposed Changes**

The Committee identified Rules 316, 322, 324, 509 and 514 as rules that would benefit from a reference to the Policy. Rules 316 and 509 generally prohibit amendment of the complaint, except at the hearing in the presence of the adverse party. The Committee agreed that a reference to the Policy in the Official Notes to Rules 316 and 509 would establish the procedure to follow in the event a court makes a data error while entering a complaint or other document related to a case. The Committee also agreed to add language to the Official Notes to Rules 316 and 509, clarifying that the general prohibition on amendments to the complaint was not intended to preclude correction of a court’s own typographical or data entry errors. The Committee also agreed to add a reference to the Policy in the Official Notes to Rules 322, 324 and 514 to assist the bench, bar and litigants in the event a data error is made while entering the judgment. The proposed language regarding the Policy is as follows:

A party seeking to correct a data error in an electronic case record shall submit a written request for correction to the magisterial district court that made the data error. See Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania, Section 6.00, Correcting Data Errors, 204 Pa. Code § 213.78.

<sup>1</sup> Electronic Case Record Public Access Policy of the Unified Judicial System, 204 Pa. Code §§ 213.71–213.79.



Additionally, in Rule 509, addressing amendments to the complaint, the current Official Note simply directs the reader to Rule 316, providing that “[t]his rule is the same as Rule 316 of the civil rules.” The Committee agreed that it would be clearer to delete the current note, and, instead, insert the note language from Rule 316 that explains why amendments to the complaint are generally prohibited.

[Pa.B. Doc. No. 15-494. Filed for public inspection March 20, 2015, 9:00 a.m.]

## PART I. GENERAL

### [ 246 PA. CODE CHS. 300 AND 1000 ]

#### Proposed Adoption of Pa.R.C.P.M.D.J. Nos. 302.1 and 302.2 and Proposed Amendment of Pa.R.C.P.M.D.J. Nos. 314 and 1001

The Minor Court Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of Pa.R.C.P.M.D.J. Nos. 302.1 and 302.2, as well as the amendment of Pa.R.C.P.M.D.J. Nos. 314 and 1001, governing dismissals and transfers of civil actions for lack of jurisdiction, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being republished in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel  
Minor Court Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9526  
minorrules@pacourts.us

All communications in reference to the proposal should be received by May 5, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Minor Court Rules Committee*

BRADLEY K. MOSS,  
*Chair*

## Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

##### CHAPTER 300. CIVIL ACTION

(Editor's Note: Rules 302.1 and 302.2 are new and printed in regular type to enhance readability.)

#### Rule 302.1. Dismissal for Lack of Personal Jurisdiction.

A. The magisterial district judge may dismiss a complaint for lack of personal jurisdiction.

B. A party may request a hearing for the limited purpose of contesting personal jurisdiction. Such a request or the party's appearance at such a hearing shall not constitute a waiver of the right to raise any defense including questions of jurisdiction or venue.

C. The magisterial district judge shall issue written notice of the dismissal to the parties.

**Official Note:** This rule addresses dismissal due to lack of personal jurisdiction. Jurisdictional issues must be raised at a hearing. Personal jurisdiction is the power of a court to hear and determine a case as long as there are minimum contacts between the parties and the Commonwealth. Personal jurisdiction over persons in the Commonwealth is established by 42 Pa.C.S. § 5301. Personal jurisdiction over persons outside the Commonwealth is established by 42 Pa.C.S. § 5322. In contrast, venue refers to the geographical limitations on a court's authority to hear a case that it otherwise has jurisdiction over. See Rule 302 regarding venue.

Rule 302.1B is derived in part from Pa.C.R.P. 1012(a), and provides a method for a party to contest personal jurisdiction, without waiving such objection.

An appeal is the method for challenging a dismissal made on the grounds of lack of personal jurisdiction. See Rules 1001–1002.

#### Rule 302.2. Transfer of Action for Lack of Subject Matter Jurisdiction.

A. When an action is commenced in a magisterial district court but the court does not have jurisdiction over the subject matter of the action, the magisterial district court shall not dismiss the action if there is another court of appropriate jurisdiction within the Commonwealth in which the action could originally have been brought.

B. The magisterial district court shall transfer the action at the cost of the plaintiff to the court of appropriate jurisdiction.

C. The magisterial district court in which the action is commenced shall transfer the complaint to the prothonotary or clerk of the court to which the action is transferred.

**Official Note:** This rule authorizes a magisterial district court to transfer a case to another court within the Commonwealth when the magisterial district court does not have jurisdiction over the subject matter of the action. The subject matter jurisdiction of the magisterial district courts is governed by Section 1515 of the Judicial Code, 42 Pa.C.S. § 1515. In contrast, venue refers to the geographical limitations on a court's authority to hear a case that it otherwise has jurisdiction over. See Rule 302 regarding venue.

Rule 302.2 is derived in part from Section 5103(a) of the Judicial Code, 42 Pa.C.S. § 5103(a). “If an appeal or other matter is taken to or brought in a court or magisterial district of the Commonwealth which does not have jurisdiction of the appeal or other matter, the court or magisterial district judge shall not quash such appeal or dismiss the matter, but shall transfer the record thereof to the proper tribunal of this Commonwealth, where the appeal or other matter shall be treated as if originally filed in the transferee tribunal on the date when the appeal or other matter was first filed in a court

or magisterial district of this Commonwealth.” 42 Pa.C.S. § 5103(a). Rule 302.2 is also derived in part from Pa.R.C.P. No. 213(f) (authorizing transfer of actions for lack of subject matter jurisdiction).

When a complaint is transferred under this rule, it is treated as if it was originally filed in the transferee court on the date first filed in the magisterial district court. It is the intent of this rule that cases may be transferred to any Pennsylvania court with appropriate jurisdiction and venue, including the Philadelphia Municipal Court. Likewise, nothing in this rule prohibits a court other than a magisterial district court from transferring a case to a magisterial district court with proper jurisdiction and venue, in accordance with the procedural rules of the transferring court.

There may be additional costs when a case is transferred, including, but not limited to, service costs.

**Rule 314. Return, Waiver and Failure of Service; Reinstatement.**

\* \* \* \* \*

**C. [ The ] Except for a limited purpose hearing requested pursuant to Rule 302.1B, the appearance of a defendant in person or by representative or the filing by a defendant of a claim in the case shall be deemed a waiver of any defect in service but not a waiver of a defect in venue.**

\* \* \* \* \*

**Official Note:** The hearing referenced is subdivision C is for the limited purpose of contesting personal jurisdiction. The provision concerning appearance not being a waiver of venue was inserted in subdivision C of this rule to prevent the concentration of business in the office of a favorable magisterial district judge. Also, the public cannot generally be expected to be aware of venue provisions. See Rule 302H regarding improper venue.

\* \* \* \* \*

**CHAPTER 1000. APPEALS**

**APPELLATE PROCEEDINGS WITH RESPECT TO JUDGMENTS AND OTHER DECISIONS OF MAGISTERIAL DISTRICT JUDGES IN CIVIL MATTERS**

**Rule 1001. Definitions.**

As used in this chapter<sup>1</sup>:

(1) *Judgment*—A judgment rendered by a magisterial district judge under Rule 319, 322 or 514, or a dismissal rendered by a magisterial district judge pursuant to Rule 302.1.

\* \* \* \* \*

**Official Note:** Although one of the purposes of the definitions in this rule is to avoid needless repetition throughout these appellate rules, some of the definitions are intended to state or clarify the law as well.

**The definition of “judgment” includes a dismissal due to lack of personal jurisdiction.**

In connection with the definition of “appeal” in subdivision (2), see also Rule 1007 and the note thereto.

\* \* \* \* \*

<sup>1</sup> Rules in 1000 series. Since these rules are a chapter of the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges, the rules in the 200 series will also apply.

**REPORT**

**Proposed Adoption of Pa.R.C.P.M.D.J. Nos. 302.1 and 302.2, and Proposed Amendment of Pa.R.C.P.M.D.J. Nos. 314 and 1001**

***Dismissals and Transfers for Lack of Jurisdiction***

***I. Introduction***

The Minor Court Rules Committee (“Committee”) is planning to propose to the Supreme Court of Pennsylvania the adoption of Pa.R.C.P.M.D.J. Nos. Rules 302.1 and 302.2, as well as the amendment of Pa.R.C.P.M.D.J. Nos. 314 and 1001, governing dismissals and transfers of civil actions for lack of jurisdiction. The goal of the proposed new rules and amendments is to establish procedures when a case is brought in a magisterial district court, but the court is lacking either personal jurisdiction or subject matter jurisdiction.

***II. Discussion***

The Committee has been examining procedures related to withdrawals, settlements and dismissals of cases in the magisterial district courts.<sup>1</sup> In conducting its review, the Committee observed that the rules did not have procedures for addressing cases where the magisterial district court is lacking either personal jurisdiction over a party or subject matter jurisdiction. The Committee previously published proposed rules on this topic in the Pennsylvania Bulletin for public comment. See 44 Pa.B. 479 (January 25, 2014). After reviewing comments received in response to the publication, the Committee determined that further review and revision of the proposal was warranted.

With regard to personal jurisdiction, the Committee further revised proposed new Rule 302.1 to require that jurisdictional issues be raised at a hearing, and permitting such a hearing to be held for the limited purpose of contesting jurisdiction, without waiver of future defenses. The Committee also added definitions of venue and personal jurisdiction to the Official Note, as well as statutory citations to distinguish between personal jurisdiction over persons within and outside the Commonwealth. The Committee is concurrently seeking comments on a proposal that would rescind the rules governing writs of certiorari and making correlative rule changes.<sup>2</sup>

Currently, jurisdictional challenges are addressed by seeking a writ of certiorari. Because the Committee plans to ultimately recommend the rescission of the certiorari rules, proposed new Rule 302.1 does not identify certiorari as the vehicle for review of a magisterial district court decision on personal jurisdiction; rather, the Official Note to proposed new Rule 302.1 identifies an appeal as the method for challenging a dismissal made on the grounds of personal jurisdiction.

With regard to subject matter jurisdiction, the Committee further revised the Official Note to proposed new Rule 302.2 to distinguish the statutorily established subject matter jurisdiction of magisterial district courts from venue.

Because proposed new Rule 302.1 now provides for a limited purpose hearing for contesting personal jurisdiction determinations, the Committee proposes amending Rule 314C to provide for an exception to the general rule that “appearance of a defendant in person or by

<sup>1</sup> The Supreme Court adopted a procedural rule pertaining to withdrawals and settlements. See Supreme Court of Pennsylvania Order No. 368, Magisterial Docket No. 1 (July 21, 2014); Pa.R.C.P.M.D.J. No. 320.

<sup>2</sup> Any final recommendation to the Court on this matter will conform to the current status of the rescission of certiorari proposal.

representative...shall be deemed a waiver of any defect in service." See Rule 314C. Additionally, the Committee proposes amending the definition of "judgment" in Rule 1001 to include a dismissal made pursuant to proposed new Rule 302.1. As the Committee is planning to propose the rescission of the rules governing writs of certiorari, adding dismissals pursuant to proposed new Rule 302.1 to the definition of a judgment will permit such dismissals to be challenged via appeals.

### III. Proposed Rule Changes

Proposed Rule 302.1A provides that a magisterial district judge may dismiss a complaint for lack of personal jurisdiction. Proposed Rule 302.1B provides for a hearing for the limited purpose of contesting personal jurisdiction, and establishes that such a hearing will not constitute a waiver of the right to raise any defense, such as jurisdiction or venue. Proposed Rule 302.1C provides that the magisterial district judge shall issue written notice of the dismissal. The Official Note provides that jurisdictional issues must be raised at a hearing. The Official Note also sets forth the statutory authority for establishing personal jurisdiction, on persons inside and outside the Commonwealth, as well as distinguishing personal jurisdiction from venue. Finally, the Official Note advises that an appeal is the method for challenging a dismissal made on the grounds of personal jurisdiction.

Proposed Rule 302.2 is derived in part from 42 Pa.C.S. § 5103(a) and Pa.R.C.P. No. 213(f). The proposed new rule provides for the transfer of actions for lack of subject matter jurisdiction, and notes that there may be additional costs to the plaintiff when a case is transferred, including, but not limited to, service costs. The Official Note to proposed new Rule 302.2 distinguishes subject matter jurisdiction from venue.

The proposed amendment to Rule 314C addresses the limited purpose hearing authorized by proposed Rule 302.1B. It provides that such limited purpose hearings are exempt from the general provision that "the appearance of a defendant in person or by representative or the filing by the defendant of a claim in the case shall be deemed a waiver of any defect in service but not a waiver of a defect in venue." See Rule 314C.

Finally, the proposed amendment to the definition of "judgment" in Rule 1001 would include a dismissal rendered by a magisterial district judge pursuant to Rule 302.1, as well as amend the Official Note to explain that the Rule 302.1 dismissal is due to lack of personal jurisdiction.

[Pa.B. Doc. No. 15-495. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### LEHIGH COUNTY

#### Rule 205.4 Authorizing an E-Filing Program for Civil Cases; No. 2015-J-18

##### Administrative Order

And Now, this 24th day of February 2015, *It Is Hereby Ordered That* Lehigh County R.C.P. 205.4, Electronic Filing and Service of Legal Papers, authorizing a pilot program for electronic filing of civil cases identified on the Supreme

Court of Pennsylvania Court of Common Pleas Civil Cover Sheet, be and is hereby rescinded effective upon publication on the Pennsylvania Judiciary Web Application Portal and that the following Lehigh County Rule authorizing an E-Filing Program for Civil Cases be and the same is hereby *Adopted*, effective upon publication of this rule on the Pennsylvania Judiciary Web Application Portal (<http://ujportal.pacourts.us>).

*It Is Further Ordered That* the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Lehigh County Rule authorizing the E-Filing Program for Civil Cases 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 publish a copy on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>)

*By the Court*

CAROL K. MCGINLEY,  
President Judge

#### Rule 205.4. Electronic Filing of Legal Documents Filed in the Clerk of Judicial Records—Civil Division.

(a)(1) *Authorization for Electronic Filing of Civil Legal Papers*

(i) In accordance with Pa.R.C.P. No. 239.9, the Lehigh County Court of Common Pleas permits the electronic filing of legal papers and the electronic service of such papers effective March 15, 2015, as specifically defined within this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing. Electronic filing and service shall be governed by this rule.

(ii) In the context of this rule, "legal papers" which may be filed electronically shall be in all civil cases, but not including family court or Orphans' Court matters.

(iii) All registered participants are eligible to file the legal papers as indicated in paragraph (a)(1)(ii) above.

##### Comment

The primary intent of this rule is to facilitate the filing of all legal papers that are expressly permitted under this subsection.

(b)(1) *Authorized Electronic Format of Legal Papers Electronically Filed.* All legal papers that may be filed electronically as defined by this rule shall be filed in Portable Document Format (PDF). In the event any legal paper or exhibit is submitted to the Clerk of Judicial Records—Civil Division in hard copy format for a case already initiated electronically, the Clerk of Judicial Records—Civil Division shall convert and maintain such legal paper or exhibit to a Portable Document Format (PDF) and the Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(4).

(c)(1) A legal paper filed electronically shall be deemed the original document.

(c)(2) *Website—Access to the Website*

(i) *Website.* All legal papers may be filed electronically through the Clerk of Judicial Records—Civil Division's



Electronic Filing System “Odyssey File and Serve” (OFS) which shall be accessible through the Lehigh County Website, [www.lehighcounty.org](http://www.lehighcounty.org)

(ii) *Access to the Website.* To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply for and receive a User Name and Password.

(d)(1) *Payment of Filing Fees*

(i) The Clerk of Judicial Records—Civil Division will accept electronic payment of all filing fees with the following credit and debit cards: Discover, MasterCard, American Express and Visa.

(ii) The credit or debit card will be charged with a convenience fee dictated by the credit card vendor.

(iii) The Clerk of Judicial Records—Civil Division will accept payment of electronic filing fees in cash or checks only when filing in person at the counter in the Clerk of Judicial Records—Civil Division.

(e) *Reserved*

(f) *Local Procedures*

As authorized by Pa.R.C.P. No. 205.4(f), the following local administrative procedures are adopted:

(i) As provided by Pa.R.C.P. No. 1023.1, the required signature on an electronic filing of legal papers is established by submission of a filing and the application of a digitized signature or the name of the filer proceeded by /s/ accompanied by the attorney's printed name or a scanned document with an original signature. Verification will be achieved through the use of an email address and a password obtained from the OFS System. The OFS system will verify the user ID against the state ID number. Verification for parties other than attorneys will be verified through the user ID.

(ii) The legal paper must include a signature block, and the name of the filer under whose user name and password the legal filing is submitted.

(iii) The Electronic Filing Application (OFS) shall provide to the filer, using the email address registered by the filer, a Courtesy Email acknowledging that the filing was received. An Official Notification will be displayed in the Electronic Filing System, which includes the time and date, as a pending filing awaiting approval by the Clerk of Judicial Records—Civil Division. Within six (6) business hours of the receipt of the legal paper, the Clerk of Judicial Records—Civil Division shall provide the filer with notification through the Electronic Filing System that the legal paper has been either accepted or rejected.

(iv) If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the Electronic Filing System; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received pursuant to 42 P.S. Section 21073(b), “The Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit or action or order of court or to enter any judgment thereon and perform any services whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.”

*Note:* As required by Pa.R.C.P. No. 205.4(c)(1) access to the Electronic Filing System shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by the staff of the Clerk of Judicial Records—Civil Division during normal office hours. Therefore, filers are cautioned to file required legal

papers well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal paper is not acceptable for filing.

(v) Pa.R.C.P. No. 204.1(3) requires that the first sheet of all pleadings, motions and other legal filings shall contain a 3-inch space from the top of the paper. This space shall be reserved solely for the use of the Clerk of Judicial Records—Civil Division for the electronic date and time stamp, and other official use.

(vi) As required by Pa.R.C.P. 205.5, the filer shall include the statewide cover sheet with the initial filing.

(vii) It shall be the responsibility of the filer to notify the Clerk of Judicial Records—Civil Division of any legal paper or exhibit submitted for filing in hard copy format/paper for a case initiated by electronic filing by indicating under the case number “Electronic Case.” The Clerk of Judicial Records—Civil Division shall then convert the legal paper to a portable document format (pdf) and accept and maintain such legal paper or exhibit in the electronic form. The Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(4) and Pa.R.C.P. No. 205.4(b)(5).

(viii) If a legal document is refused for filing, the Clerk of Judicial Records—Civil Division shall specify a reason. Subject to the Rule 205.4(e)(3), a legal paper refused for filing shall be deemed as not having been filed.

(ix) Neither the Court nor the Clerk of Judicial Records—Civil Division shall be required to maintain a hard copy of any legal paper, notice, or order filed or maintained under this rule.

(g) *Service of Legal Papers*

(i) Once an electronic filing has been accepted by the Clerk of Judicial Records—Civil Division, it shall be the responsibility of the filing party to provide to the Sheriff of Lehigh County, the proper service fee and the documents for Original Service and Writs.

[Pa.B. Doc. No. 15-496. Filed for public inspection March 20, 2015, 9:00 a.m.]

## SUPREME COURT

### Pilot Program for Pro Bono Representation; No. 443 Judicial Administration Doc.

#### Order

#### *Per Curiam*

*And Now*, this 5th day of March, 2015, *It Is Ordered* that:

There is hereby established a pilot program to provide *pro bono* representation to indigent criminal defendants, as well as indigent civil litigants who have a right to appointed counsel (such as a parent whose rights are subject to termination in an involuntary termination proceeding, 23 Pa.C.S. § 2313(a.1));

The pilot program is to be loosely modeled on a similar one employed by the United States Court of Appeals for the Third Circuit;

Participation is limited to indigent *pro se* litigants who are petitioners or respondents relative to a petition for allowance of appeal in the above substantive areas which has been granted;

David R. Fine, Esquire, is appointed as *pro bono* coordinator for the pilot program;

Similar to the procedure pertaining in the Third Circuit, the *pro bono* coordinator will gather a list of experienced appellate attorneys in the Western, Middle, and Eastern Districts who are willing to participate in this Court's pilot program by providing *pro bono* legal services;

The list will be transmitted to the Chief Justice and Prothonotary of the Supreme Court for approval, with periodic updates as appropriate;

Upon issuance of an order allowing appeal on a qualifying *pro se* petition or *pro se* answer, the Prothonotary shall contact the *pro bono* coordinator and provide him with a copy of such order and the underlying petition for allowance of appeal;

The *pro bono* coordinator will then contact potential volunteers on the list previously provided to the Court to locate an appropriate volunteer;

Upon provisional selection by the *pro bono* coordinator, the coordinator will convey the volunteer's name and contact information to the Prothonotary;

The Prothonotary will determine whether the appointment is acceptable to the *pro se* litigant;

If the appointment is acceptable to the *pro se* litigant, the Prothonotary will issue an appointment order;

In the interim, the Prothonotary will defer issuance of a briefing schedule and/or scheduling of oral argument pending the appointment of counsel;

If the appointment is unacceptable to the *pro se* litigant, the Prothonotary will implement the existing procedure for the appointment of counsel;

Upon issuance of an appointment order, the Prothonotary will issue a briefing schedule and/or schedule argument, providing a reasonable amount of time for *pro bono* counsel to become familiar with the case;

Participation of less-experienced attorneys in the pilot program as volunteers is permissible, but in such circumstances, careful supervision from an experienced appellate lawyer is required to ensure consistent, high-quality representation;

Approximately nine months after the date of this order, the *pro bono* coordinator will furnish a report to the Court concerning the progress of the pilot program, as well as recommendations for its continued longevity and/or improvement;

The Administrative Office of Pennsylvania Courts will issue a press release to give notice to the bar and the public of the availability of this pilot program.

[Pa.B. Doc. No. 15-497. Filed for public inspection March 20, 2015, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CHS. 133 AND 147 ]

#### Wildlife Classification of Birds; Special Permits for Falconry

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting adopted amendments to §§ 133.21 and 147.101 (relating to classification of birds; and definitions) and adopted § 147.111b (relating to Arctic Peregrine Falcon limited take special permit) to authorize the limited take of Arctic Peregrine Falcons (*Falco peregrinus tundrius*) within this Commonwealth by qualified falconers.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 7074 (November 8, 2014).

##### 1. Purpose and Authority

The United States Fish and Wildlife Service (Service) has the authority to grant states within the Atlantic Flyway the ability to permit certain qualified falconers the opportunity to take Arctic Peregrine Falcons (*Falco peregrinus tundrius*) for falconry purposes. Although various states within the Atlantic Flyway currently participate in the limited allowable take of Arctic Peregrine Falcons (*Falco peregrinus tundrius*), the Commonwealth does not.

For the Commission and qualified falconers in this Commonwealth to participate in this program, it must amend its regulations to distinguish between Arctic Peregrine Falcons (*Falco peregrinus tundrius*) and Peregrine Falcons (*Falco peregrinus anatum*) which are currently listed as a Pennsylvania endangered species. Furthermore, the Commission must define the allowable take to establish limitations on the number of Arctic Peregrine Falcons (*Falco peregrinus tundrius*) that can be taken in any given permit year. Finally, the Commission must establish a special permit program that includes eligibility criteria as well as application and issuance standards.

Upon the establishment of this regulatory structure, the Commission will seek approval from the Service for the Commonwealth and qualified falconers to participate in the limited take of Arctic Peregrine Falcons (*Falco peregrinus tundrius*) within this Commonwealth. The Commission amends §§ 133.21 and 147.101 and adds § 147.111b to authorize the limited take of Arctic Peregrine Falcons (*Falco peregrinus tundrius*) within this Commonwealth by qualified falconers.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to “[a]dd to or change the classification of any wild bird or wild animal.” Section 2901(b) of the code (relating to authority to issue permits) provides that “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under

authority of any permit issued.” The amendments to §§ 133.21 and 147.101 and the addition of § 147.111b are adopted under this authority.

##### 2. Regulatory Requirements

The final-form rulemaking amends §§ 133.21 and 147.101 and adds § 147.111b to authorize the limited take of Arctic Peregrine Falcons (*Falco peregrinus tundrius*) within this Commonwealth by qualified falconers.

##### 3. Persons Affected

Qualified falconers wishing to participate in the limited take of passage Peregrine Falcons within this Commonwealth will be affected by the final-form rulemaking.

##### 4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

##### 5. Cost and Paperwork Requirements

The final-form rulemaking will not result in additional cost or paperwork.

##### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

##### 7. Contact Person

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

##### Findings

The Commission finds that:

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

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

##### Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 133 and 147, are amended by adding § 147.111b and amending §§ 133.21 and 147.101 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

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

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

R. MATTHEW HOUGH,  
Executive Director

**Fiscal Note:** Fiscal Note 48-372 remains valid for the final adoption of the subject regulations.

## Annex A

## TITLE 58. RECREATION

## PART III. GAME COMMISSION

## CHAPTER 133. WILDLIFE CLASSIFICATION

## Subchapter B. BIRDS

## § 133.21. Classification of birds.

The following birds are classified:

(1) *Endangered*.

\* \* \* \* \*

(v) Peregrine Falcon (*Falco peregrinus anatum*).

\* \* \* \* \*

## CHAPTER 147. SPECIAL PERMITS

## Subchapter F. FALCONRY

## § 147.101. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*Allowable take*—The total number of Arctic Peregrine Falcons authorized by the United States Fish and Wildlife Service to be taken from the wild within this Commonwealth during a given permit year.

*Bate*—Attempt to fly.

\* \* \* \* \*

## § 147.111b. Arctic Peregrine Falcon limited take special permit.

(a) *Purpose*. This permit is intended to permit the limited take of the Arctic Peregrine Falcon (*Falco peregrinus tundrius*) solely for use in the practice of falconry.

(b) *Application*.

(1) Applications for the Arctic Peregrine Falcon limited take special permit issued under this section shall be made on PGC-12 (Special Permit/Examination Request—Application).

(2) Applications shall be completed in full and include a copy of the applicant's falconry permit, Pennsylvania hunting license and a nonrefundable application fee of \$25.

(3) Applications shall be sent directly to the Special Permits Enforcement Division in Harrisburg.

(4) Applications will be accepted beginning May 1 and must be submitted no later than July 31 to be eligible for the drawing for that permit year.

(5) Only one application per eligible falconer may be submitted during each permit year. If more than one application is submitted by an eligible falconer, the applications submitted by the applicant will be rejected and the applicant will be ineligible for that year's drawing.

(c) *Eligibility*.

(1) Applications will only be accepted from persons who possess a current and valid master class falconry permit issued under this subchapter and a Pennsylvania resident hunting license.

(2) Applicants shall be a resident of this Commonwealth.

(3) Applicants who were successfully drawn for an Arctic Peregrine Falcon limited take special permit during the previous 2 permit years are ineligible to make application.

(d) *Drawing*.

(1) Each year the Commission will determine the allowable take of Arctic Peregrine Falcons for the season based on the guidelines provided by the United States Fish and Wildlife Service.

(2) If the allowable take authorized for this Commonwealth is one or more in any given year, the Commission will hold a public drawing by August 15 at a location to be determined by the Commission to determine the successful applicants.

(3) The Commission will randomly draw the names of eligible applicants up to and including the total allowable take. The number of permits issued will be based solely on the total allowable take each year. When the total allowable take number is reached, the drawing will be closed and additional permits will not be issued.

(4) The Commission will issue an Arctic Peregrine Falcon limited take special permit to successful applicants by August 31 each year.

(e) *Authorized activities*.

(1) Arctic Peregrine Falcons (*Falco peregrinus tundrius*) may only be taken by persons in possession of a valid master class falconry permit, a resident Pennsylvania hunting license and an Arctic Peregrine Falcon limited take special permit.

(2) Arctic Peregrine Falcons (*Falco peregrinus tundrius*) may be taken only during the period of September 20 to October 20, inclusive.

(3) Banded Peregrine Falcons may not be taken under the authorizations of this section. Banded Peregrine Falcons shall be released immediately upon capture and the band numbers of the released birds shall be reported to the Special Permits Enforcement Division within 24 hours.

(4) Arctic Peregrine Falcons may only be captured by devices authorized under § 147.105a(4) (relating to resident falconers).

(5) Persons issued an Arctic Peregrine Falcon limited take special permit shall abide by other applicable State and Federal falconry laws and regulations.

(6) Upon successful capture of an Arctic Peregrine Falcon, the permittee shall notify the Special Permits Enforcement Division within 24 hours. The permittee shall arrange for inspection within 3 days of the capture as directed by the Special Permits Enforcement Division.

(7) Upon inspection by the Commission as indicated, the Arctic Peregrine Falcon shall be marked with a permanent, nonreusable numbered leg band provided by the Commission.

(f) *Conformance with Federal regulations*. If the Federal regulations regarding dates or times of application, drawing or take change, the Executive Director has the authority to conform the Commonwealth's dates to the Federal regulations for that year in which the dates under Federal regulations have changed.

(g) *Violations*. Violations of the requirements of this section are subject to the penalties in the act.

[Pa.B. Doc. No. 15-498. Filed for public inspection March 20, 2015, 9:00 a.m.]



**GAME COMMISSION**  
**[ 58 PA. CODE CH. 143 ]**

**Hunting and Furtaker Licenses; Hunter Education Training**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting adopted amendments to § 143.12 (relating to hunter education training) to authorize the Commission to develop and implement an online hunter-trapper education course of study and assess vendor fees that may be incurred through the course of instruction and certification.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 7071 (November 8, 2014).

**1. Purpose and Authority**

Hunter education delivery methods continue to evolve across the United States. The use of independent study is one delivery method which has been in use for nearly a decade in this Commonwealth. A student studies the majority of the course on his own then attends an abbreviated 2-hour class to meet the local Wildlife Conservation Officer, who leads a lesson on hunting laws and regulations. At the conclusion of this lesson, the student completes the certification exam and receives a training certificate.

Recently, online training programs have been developed to not only provide the training component, but also enable online testing and certification of students as well. Upon successful completion of the course of study, a student can print a certificate of training and purchase a hunting license. This capability continues to improve customer service and convenience. Additionally, it removes potential barriers for students who are unable to attend a traditional, instructor-led class or one of the Commission's independent study classes. It provides another tool for the Commission to reach a large audience of people interested in hunting or trapping.

The Commission adopted amendments to § 143.12 to authorize the Commission to develop and implement an online hunter-trapper education course of study and assess vendor fees that may be incurred through the course of instruction and certification. Vendors who develop and manage online hunter education training and certification courses typically charge a user fee to recover the ongoing development and maintenance costs of the program. This final-form rulemaking enables the Commission to offer a completely online hunter-trapper education training and certification course while providing for a convenience fee to be paid by those students who choose this option. The Commission will continue to offer nearly 1,000 instructor-led hunter-trapper education classes each year. These classes will continue to meet the legislative mandate for hunter-trapper education instruction to be free of charge.

Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting

hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 143.12 are adopted under this authority.

**2. Regulatory Requirements**

The final-form rulemaking amends § 143.12 to authorize the Commission to develop and implement an online hunter-trapper education course of study and assess vendor fees that may be incurred through the course of instruction and certification.

**3. Persons Affected**

Persons seeking hunter-trapper education within this Commonwealth may be affected by the final-form rulemaking.

**4. Comment and Response Summary**

The Commission received one official comment in opposition to the final-form rulemaking.

**5. Cost and Paperwork Requirements**

The final-form rulemaking will not result in additional cost or paperwork.

**6. Effective Date**

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

**7. Contact Person**

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

**Findings**

The Commission finds that:

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

(2) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

**Order**

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 143, are amended by amending § 143.12 to read as set forth at 44 Pa.B. 7071.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 7071 and deposit them with the Legislative Reference Bureau as required by law.

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

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-369 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 15-499. Filed for public inspection March 20, 2015, 9:00 a.m.]

## GAME COMMISSION

## [ 58 PA. CODE CH. 147 ]

**Special Permits; Nuisance Wildlife Control Operator**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting adopted amendments to § 147.726 (relating to operation) to authorize the use of raptors for nuisance wildlife abatement by persons in possession of a Nuisance Wildlife Control Operator Permit and a Special Purpose—Abatement Using Raptors Permit.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 7073 (November 8, 2014).

**1. Purpose and Authority**

The United States Fish and Wildlife Service has the authority to issue a Special Purpose—Abatement Using Raptors Permit. This permit generally allows qualified individuals to utilize raptors to handle nuisance wildlife issues for other persons. The Commission requires a person to obtain a Nuisance Wildlife Control Operators Permit if that person conducts nuisance wildlife control work for another person in this Commonwealth. The Commission amends § 147.726 to authorize the use of raptors for nuisance wildlife abatement by persons in possession of a Nuisance Wildlife Control Operator Permit and a Special Purpose—Abatement Using Raptors Permit.

Section 2901(b) of the code (relating to authority to issue permits) provides that “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to § 147.726 are adopted under this authority.

**2. Regulatory Requirements**

The final-form rulemaking amends § 147.726 to authorize the use of raptors for nuisance wildlife abatement by persons in possession of a Nuisance Wildlife Control Operator Permit and a Special Purpose—Abatement Using Raptors Permit.

**3. Persons Affected**

Persons wishing to utilize raptors for nuisance wildlife abatement within this Commonwealth will be affected by the final-form rulemaking.

**4. Comment and Response Summary**

There were no official comments received regarding the final-form rulemaking.

**5. Cost and Paperwork Requirements**

The final-form rulemaking will not result in additional cost or paperwork.

**6. Effective Date**

The final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

**7. Contact Person**

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

**Findings**

The Commission finds that:

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

(2) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

**Order**

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.726 to read as set forth at 44 Pa.B. 7073.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 7073 and deposit them with the Legislative Reference Bureau as required by law.

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

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-371 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 15-500. Filed for public inspection March 20, 2015, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

[ 25 PA. CODE CH. 215 ]

### Security Rule for Radioactive Material

The Environmental Quality Board (Board) proposes to amend Chapter 215 (relating to general provisions) to read as set forth in Annex A. The proposed rulemaking would amend Chapter 215 to include a reference to the new Nuclear Regulatory Commission (NRC) security regulation in 10 CFR Part 37 (relating to physical protection of category 1 and category 2 quantities of radioactive material). The Bureau of Radiation Protection incorporates by reference all applicable NRC radiation protection and control of radioactive materials regulations from 10 CFR (relating to energy).

This proposed rulemaking was adopted by the Board at its meeting on October 21, 2014.

#### A. Effective Date

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

#### B. Contact Persons

For further information, contact Joseph Melnic, Chief, Division of Radiation Control, P. O. Box 8469, Rachel Carson State Office Building, Harrisburg, PA 17105-8469, (717) 783-9730; or Keith Salador, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 783-8075. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation Center," then select "The Environmental Quality Board").

#### C. Statutory Authority

This proposed rulemaking is being made under the authority of sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302) and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20).

#### D. Background and Purpose

When then Governor Rendell signed the Agreement with the Chairperson of the NRC in March 2008 to oversee and regulate licensure of radioactive materials for Pennsylvania entities, the Commonwealth committed to being compatible with the NRC regulations. The Department fulfills this requirement by incorporating by reference NRC regulations. Currently, licensees in this Commonwealth are following security orders issued by the NRC in November 2005 following the terrorist attacks of September 11, 2001. The orders were reissued by the Department in 2008 after the Commonwealth became an Agreement State, for security controls, also referred to as Increased Controls (IC), for these high-activity licensees. The orders were used to develop 10 CFR Part 37 as implemented by the NRC in March 2014.

#### E. Summary of Regulatory Requirements

The following discussion outlines the regulatory requirements that have been affected by the proposed rulemaking and describes the basis for the amendments.

##### § 215.1. Purpose and scope

In subsection (e), the Department is proposing to add a reference to 10 CFR Part 37, incorporating by reference this new part.

Proposed subsection (e)(10) designates that 10 CFR 37.3(b)(2), 37.13, 37.73(d) and (e), 37.107 and 37.109 are not being incorporated. These sections are not being incorporated because they apply to the NRC only. Subsequent paragraphs are proposed to be renumbered.

Proposed amendments to subsection (h)(5) delete the transitional language that was added in anticipation of the Commonwealth becoming an Agreement State. In addition, language is proposed to be added codifying the requirement for licensees to send criminal history records to the NRC.

#### F. Benefits, Costs and Compliance

##### Benefits

Codifying orders into regulation will result in optimizing compliance authority. Benefits of the regulation are prevention of unnecessary radiation exposure to the public and radiation workers from terrorist acts using large quantities of radioactive material.

##### Compliance costs

No additional financial, economic or social impact will result from this proposed rulemaking.

##### Compliance Assistance Plan

Current IC licensees are being informed by the Department during annual inspections that the orders they are required to comply with will be codified in Pennsylvania regulation with the promulgation of this proposed rulemaking. The Department has recently notified all IC licensees through a written Information Notice that 10 CFR Part 37 is anticipated to be incorporated by March 19, 2016. In addition, a series of workshops were conducted in September 2014 in which the NRC, the National Nuclear Security Administration of the United States Department of Energy and various local law enforcement agencies participated to provide technical assistance.

##### Paperwork requirements

The proposed rulemaking will not revise the current paperwork requirements.

#### G. Pollution Prevention

This is not applicable to this proposed rulemaking.

#### H. Sunset Review

The regulation will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulation effectively fulfills the goals for which it was intended.

#### I. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 9, 2015, 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 House and Senate Environmental Resources



and Energy Committees. 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.

#### *J. Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Board. Comments, suggestions or objections must be received by the Board by April 20, 2015. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by April 20, 2015. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

Comments, including the submission of a one-page summary of comments, may be submitted to the Board online, by e-mail, by mail or express mail as follows. If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may be submitted to the Board by accessing the Board's online comment system at [www.ahs.dep.pa.gov/RegComments](http://www.ahs.dep.pa.gov/RegComments). Comments may also be submitted to the Board by e-mail at [RegComments@pa.gov](mailto:RegComments@pa.gov). A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

Written comments should be mailed to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

JOHN QUIGLEY,  
*Acting Chairperson*

**Fiscal Note:** 7-493. No fiscal impact; (8) recommends adoption.

#### **Annex A**

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

#### **Subpart D. ENVIRONMENTAL HEALTH AND SAFETY**

### **ARTICLE V. RADIOLOGICAL HEALTH CHAPTER 215. GENERAL PROVISIONS GENERAL PROVISIONS**

#### **§ 215.1. Purpose and scope.**

\* \* \* \* \*

(e) Title 10 Chapter I (Nuclear Regulatory Commission) Parts 19, 20, 30, 31, 32, 33, 34, 35, 36, **37**, 39, 40, 70, 71 and §§ 150.1, 150.2, 150.3, 150.11 and 150.20 of the CFR are incorporated by reference with the exceptions set

forth in paragraphs (1)—[ **(13)** ] **(14)**. Notwithstanding the requirements incorporated by reference, nothing in this article relieves or limits a person from complying with the laws of the Commonwealth, including the act and the Low-Level Radioactive Waste Disposal Act (35 P. S. §§ 7130.101—7130.905).

(1) Sections 19.4, 19.5, 19.8, 19.30 and 19.40 are not incorporated.

(2) Sections 20.1006, 20.1009, 20.2206(a)(1), (3), (4) and (5), 20.2401 and 20.2402 are not incorporated.

(3) Sections 30.5, 30.6, 30.8, 30.21(c), 30.34(d) and (e)(1) and (3), [ **30.41(a)(6)** ] **30.41(b)(6)**, 30.55, 30.63 and 30.64 are not incorporated.

\* \* \* \* \*

(9) Sections 36.5, 36.8, 36.91 and 36.93 are not incorporated.

**(10) Sections 37.3(b)(2), 37.13, 37.73(d) and (e), 37.107 and 37.109 are not incorporated.**

[ **(10)** ] **(11)** Sections 39.5, 39.8, 39.101 and 39.103 are not incorporated.

[ **(11)** ] **(12)** Sections 40.6, 40.8, 40.12(b), 40.23, 40.27, 40.28, 40.31(k) and (i), 40.32(d), (e) and (g), 40.33, 40.38, 40.41(d), (e)(1) and (3) and (g), 40.51(b)(6), 40.64, 40.66, 40.67, 40.81 and 40.82 are not incorporated.

[ **(12)** ] **(13)** Sections 70.1(c), (d) and (e), 70.5, 70.6, 70.8, 70.13, 70.13a, 70.20a, 70.20b, 70.21(a)(1), (c), (f), (g) and (h), 70.22(b), (c), (f), (g), (h), (i), (j), (k), (l), (m) and (n), 70.23(a)(6), (7), (8), (9), (10), (11) and (12) and (b), 70.23a, 70.24, 70.25(a), 70.31(c), (d) and (e), 70.32(a)(1), (4), (5), (6) and (7), 70.32(b)(1), (3) and (4), (c), (d), (e), (f), (g), (h), (i), (j) and (k), 70.37, 70.40, 70.42(b)(6), 70.44, 70.51(c), (d) and (e), 70.52, 70.53, 70.54, 70.55(c)(1), (2) and (3), 70.56(c) and (d), 70.57, 70.58, 70.59, 70.62, 70.71 and 70.72 are not incorporated.

[ **(13)** ] **(14)** Sections 71.2, 71.6, 71.14(b), 71.19, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.71, 71.73, 71.74, 71.75, 71.77, 71.99, 71.100, 71.101(c)(2), (d) and (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123 and 71.125 are not incorporated.

\* \* \* \* \*

(h) To reconcile differences between this chapter and the incorporated sections of Federal regulations and to effectuate their joint enforcement, the following words and phrases shall be substituted for the language of the Federal regulations:

\* \* \* \* \*

(5) Notifications, reports and correspondence referenced in the incorporated parts of 10 CFR shall be directed to the Department [ **and, for NRC licenses, to the NRC until agreement state status is in effect** ], **except as noted in 10 CFR 37.27 (relating to requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material).**

[Pa.B. Doc. No. 15-501. Filed for public inspection March 20, 2015, 9:00 a.m.]

# GAME COMMISSION

[ 58 PA. CODE CH. 141 ]

## Hunting and Trapping; Big Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend § 141.45 (relating to turkey) by deleting the reference to Wildlife Management Units (WMU) 1A, 1B and 2A in the provision prohibiting use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition to maintain continuity between these regulations.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

### 1. Purpose and Authority

The Commission's 2015-2016 seasons and bag limits proposal identifies only WMU 2B as a shotgun and archery only area. See the proposed rulemaking published at 45 Pa.B. 1375 (March 21, 2015). Furthermore, WMUs 5B, 5C and 5D remain closed to fall turkey hunting. All remaining WMUs are currently organized to permit use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition. The Commission is proposing to amend § 141.45 by deleting the reference to WMUs 1A, 1B and 2A in the provision prohibiting use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition to maintain continuity between these regulations.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to "promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used." The amendments to § 141.45 were proposed under this authority.

### 2. Regulatory Requirements

The proposed rulemaking will amend § 141.45 by deleting the reference to WMUs 1A, 1B and 2A in the provision prohibiting use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition to maintain continuity between these regulations.

### 3. Persons Affected

Persons wishing to hunt wild turkey through the use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition during the fall season in WMUs 1A, 1B and 2A will be affected by the proposed rulemaking.

### 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

### 5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

### 6. Contact Person

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-380. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

### PART III. GAME COMMISSION

### CHAPTER 141. HUNTING AND TRAPPING

### Subchapter C. BIG GAME

### § 141.45. Turkey.

#### (a) Fall turkey season.

\* \* \* \* \*

(2) *Prohibitions.* While hunting turkey during the fall turkey season, it is unlawful to:

(i) Use a manually operated centerfire, rimfire or muzzleloading firearm using single projectile ammunition in Wildlife Management Units [ 1A, 1B, 2A, ] 2B, 5B, 5C and 5D.

\* \* \* \* \*

[Pa.B. Doc. No. 15-502. Filed for public inspection March 20, 2015, 9:00 a.m.]

[ 58 PA. CODE CH. 141 ]

## Hunting and Trapping; Hunting Hours

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend Chapter 141, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2015-2016 hunting/trapping license year.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

### 1. Purpose and Authority

Each year there is a shift in calendar days for each month. As a result of this occurrence, the time tables in Appendix G must be amended and updated on an annual basis to accurately reflect the upcoming year's dates and

hours for legal hunting. The Commission is proposing to amend Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2015-2016 hunting/trapping license year.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to Appendix G are proposed under this authority.

## 2. Regulatory Requirements

The proposed rulemaking will amend Appendix G by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2015-2016 hunting/trapping license year.

## 3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2015-2016 hunting/trapping license year will be affected by the proposed rulemaking.

## 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

## 5. Effective Date

The effective dates of the proposed rulemaking are July 1, 2015, to June 30, 2016.

## 6. Contact Person

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-382. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

### PART III. GAME COMMISSION

### CHAPTER 141. HUNTING AND TRAPPING

### Appendix G. HUNTING HOURS

(*Editor's Note:* As part of this proposed rulemaking, the Commission is proposing to delete the text of the tables which appear in 58 Pa. Code pages 141-33—141-35, serial pages (372015)—(372017) and replace them with the following tables.)

#### HUNTING HOURS TABLE FOR JUNE 28, 2015 THROUGH JULY 2, 2016

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
June 28—July 4	5:07	9:03
July 5—11	5:11	9:00
July 12—18	5:17	8:57

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 19—25	5:23	8:51
July 26—Aug. 1	5:29	8:44
Aug. 2—8	5:35	8:36
Aug. 9—15	5:42	8:27
Aug. 16—22	5:49	8:18
Aug. 23—29	5:55	8:07
Aug. 30—Sept. 5	6:02	7:56
Sept. 6—12	6:09	7:45
Sept. 13—19	6:15	7:33
Sept. 20—26	6:22	7:22
Sept. 27—Oct. 3	6:29	7:10
Oct. 4—10	6:36	6:59
Oct. 11—17	6:43	6:48
Oct. 18—24	6:50	6:39
Oct. 25—31	6:58	6:30
Nov. 1—7 *Ends	6:06	5:22
Nov. 8—14	6:14	5:15
Nov. 15—21	6:22	5:10
Nov. 22—28	6:30	5:07
Nov. 29—Dec. 5	6:37	5:05
Dec. 6—12	6:43	5:06
Dec. 13—19	6:48	5:08
Dec. 20—26	6:51	5:11
Dec. 27—Jan. 2	6:52	5:17
Jan. 3—9	6:52	5:23
Jan. 10—16	6:50	5:31
Jan. 17—23	6:47	5:39
Jan. 24—Jan. 30	6:41	5:47
Jan. 31—Feb. 6	6:34	5:55
Feb. 7—13	6:26	6:04
Feb. 14—20	6:17	6:12
Feb. 21—Feb. 27	6:08	6:20
Feb. 28—Mar. 5	5:57	6:27
Mar. 6—12	5:46	6:35
Mar. 13—19 *Begins	6:35	7:42
Mar. 20—26	6:23	7:49
Mar. 27—Apr. 2	6:12	7:56
Apr. 3—9	6:01	8:03
Apr. 10—16	5:51	8:11
Apr. 17—23	5:41	8:18
Apr. 24—30	5:31	8:25
May 1—7	5:23	8:32
May 8—14	5:16	8:38
May 15—21	5:10	8:45
May 22—28	5:06	8:51
May 29—June 4	5:03	8:56
June 5—11	5:01	9:00
June 12—18	5:02	9:02

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
June 19—25	5:03	9:03
June 26—July 2	5:06	9:03

\*Daylight Saving Time

#### MIGRATORY GAME BIRD HUNTING HOURS TABLE

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Aug. 30—Sept. 5	6:02	7:26
Sept. 6—12	6:09	7:15
Sept. 13—19	6:15	7:03
Sept. 20—26	6:22	6:52
Sept. 27—Oct. 3	6:29	6:40
Oct. 4—10	6:36	6:29
Oct. 11—17	6:43	6:18
Oct. 18—24	6:50	6:09
Oct. 25—31	6:58	6:00
Nov. 1—7 *Ends	6:06	4:52
Nov. 8—14	6:14	4:45
Nov. 15—21	6:22	4:40
Nov. 22—28	6:30	4:37
Nov. 29—Dec. 5	6:37	4:35
Dec. 6—12	6:43	4:36
Dec. 13—19	6:48	4:38
Dec. 20—26	6:51	4:41
Dec. 27—Jan. 2	6:52	4:47
Jan. 3—9	6:52	4:53
Jan. 10—16	6:50	5:01
Jan. 17—23	6:47	5:09
Jan. 24—30	6:41	5:17
Jan. 31—Feb. 6	6:34	5:25
Feb. 7—13	6:26	5:34
Feb. 14—20	6:17	5:42
Feb. 21—27	6:08	5:50
Feb. 28—Mar. 5	5:57	5:57
Mar. 6—12	5:46	6:05
Mar. 13—19 *Begins	6:35	7:12
Mar. 20—26	6:23	7:19
Mar. 27—Apr. 2	6:12	7:26
Apr. 3—9	6:01	7:33
Apr. 10—16	5:51	7:41

\*Daylight Saving Time

[Pa.B. Doc. No. 15-503. Filed for public inspection March 20, 2015, 9:00 a.m.]

#### [ 58 PA. CODE CHS. 141 AND 147 ]

#### Hunting and Trapping; Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend

§§ 141.1 and 147.681—147.683 to expand the Commission's limited baiting authorization by allowing use of the deer attractant permit on township and municipal property.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Currently, the deer attractant permit is only available for use on private property located within the southeast special regulations area. The Commission is proposing to amend §§ 141.1 and 147.681—147.683 to expand the Commission's limited baiting authorization by allowing use of the deer attractant permit on township and municipal property.

Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to §§ 141.1 and 147.681—147.683 are proposed under this authority.

#### 2. Regulatory Requirements

The proposed rulemaking will amend §§ 141.1 and 147.681—147.683 to expand the Commission's limited baiting authorization by allowing use of the deer attractant permit on township and municipal property.

#### 3. Persons Affected

Persons wishing to hunt white-tailed deer in the southeast special regulations area may be affected by the proposed rulemaking.

#### 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

#### 5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-377. No fiscal impact; (8) recommends adoption.



## Annex A

## TITLE 58. RECREATION

## PART III. GAME COMMISSION

## CHAPTER 141. HUNTING AND TRAPPING

## Subchapter A. GENERAL

## § 141.1. Special regulations areas.

\* \* \* \*

(d) *Permitted acts.* It is lawful to:

\* \* \* \*

(7) Hunt or take deer in the southeast special regulations area during regular open hunting seasons for white-tailed deer through the use of or by taking advantage of bait on private, **township or municipal** property only under a deer attractant permit issued under Chapter 147, Subchapter R (relating to deer control).

## CHAPTER 147. SPECIAL PERMITS

## Subchapter R. DEER CONTROL

## DEER ATTRACTANT PERMIT

## § 147.681. Purpose.

The purpose of §§ 147.682—147.687 is to authorize eligible persons to hunt through the use of or otherwise take advantage of approved bait to enhance the harvest rate of white-tailed deer on private, **township or municipal** property within the southeast special regulations area where traditional hunting and deer control methods have proven ineffective in controlling local deer populations.

## § 147.682. Permit eligibility and use.

(a) *Application.* Deer attractant permits may be issued to **private, township or municipal** landowners [ **or their agents** ] who have suffered material damage to their real property in the southeast special regulations area by white-tailed deer. Permits will be made available through a system established by the Director.

\* \* \* \*

## § 147.683. Operation.

A deer attractant permit issued under this subchapter authorizes landowners or persons they permit to hunt on their property, or both, to hunt through the use of or otherwise take advantage of approved bait for the purpose of enhancing the harvest rate of white-tailed deer. This authorization is subject to the following conditions:

\* \* \* \*

(7) A person engaging in privileges authorized by a deer attractant permit shall possess a copy of the permit on their person at all times while exercising the permit privileges and while maintaining the bait site and shall produce the permit upon demand of **a landowner upon whose land that person may be occupying or to an officer** whose duty it is to enforce this title.

\* \* \* \*

[Pa.B. Doc. No. 15-504. Filed for public inspection March 20, 2015, 9:00 a.m.]

## [ 58 PA. CODE CHS. 141 AND 147 ]

## Hunting and Trapping; Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend §§ 141.62 and 147.701 (relating to beaver and otter trapping; and general) to establish device type and number limitations for beaver and otter trappers in Wildlife Management Units (WMU) with an open otter season and also establish otter trapping permit, tagging and reporting requirements for this new season.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

## 1. Purpose and Authority

The Commission has proposed to open a limited river otter season for the 2015-2016 trapping license year. See the proposed rulemaking published at 45 Pa.B. 1375 (March 21, 2015). To implement this new trapping opportunity, the Commission must create a supporting regulatory framework. To this end, the Commission is proposing to amend §§ 141.62 and 147.701 to establish device type and number limitations for beaver and otter trappers in WMUs with an open otter season and also establish otter trapping permit, tagging and reporting requirements for this new season.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to §§ 141.62 and 147.701 are proposed under this authority.

## 2. Regulatory Requirements

The proposed rulemaking will amend §§ 141.62 and 147.701 to establish device type and number limitations for beaver and otter trappers in WMUs with an open otter season and also establish otter trapping permit, tagging and reporting requirements for this new season.

## 3. Persons Affected

Persons wishing to trap beaver or river otter within this Commonwealth will be affected by the proposed rulemaking.

## 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

### 5. *Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

### 6. *Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-375. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

### PART III. GAME COMMISSION

### CHAPTER 141. HUNTING AND TRAPPING

### Subchapter D. FURBEARERS

#### § 141.62. Beaver and otter trapping.

(a) *General.* There shall be one durable identification tag attached to each trap or snare by means of an extension wire of sufficient length so that the name tag is completely above the water or ice level and totally visible for inspection purposes. The name tag shall visibly set forth the owner's first and last name and legal home address, or a number issued by the Commission.

(b) *Unlawful acts.* It is unlawful to:

(1) Place, or make use of, materials or products except raw native wood or stone to direct the travel of beaver **or otter**. Man-made materials may be used only to support traps or snares.

(2) Place, check, reset or tend a trap or snare on an established beaver dam or beaver house, or within 15 feet of either a dam or a house. Measurement shall be from directly above the trap or snare, across the water, ice or land to the nearest point of the structure.

(3) Set body gripping traps larger than 10 inches in height by 12 inches in width.

(4) [ **Set, tend or operate more than a combined Statewide total of 20 traps or snares no more than 10 of which may be traps. No more than 2 of the traps may be body gripping traps except in Wildlife Management Units where beaver bag limits are 40 or more per season.** ] Set, tend or operate any number of traps or snares for beaver trapping in excess of the limits established by this paragraph.

(i) Beaver trappers are generally limited to a combined Statewide total of 20 traps or snares, no more than 10 of which may be traps. No more than 2 of the 10 traps may be body gripping traps, except in Wildlife Management Units where beaver bag limits are 40 or more per season where all 10 traps may be body gripping traps.

(ii) Beaver trappers are limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any Wildlife Management Unit with an open otter trapping season. This limitation is inclusive of any otter traps or snares set under paragraph (7). This limitation is applicable during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season and shall extend for 5 additional consecutive days after the close of the otter season.

(5) Check, set, reset or otherwise maintain a beaver **or otter** trap or snare, or remove a beaver **or otter** from a trap or snare, unless the person is identified by the attached name tag as the owner. This paragraph does not prohibit the lending of assistance when the person whose name appears on the trap tag is present.

(6) Equip snares with a spring-activating mechanism or any device designed to aid the closing of the snare loop.

(7) **Set, tend or operate any number of traps or snares for otter trapping in excess of the limits established by this paragraph. Otter trappers are limited to a combined Statewide total of five traps or snares, no more than two of which may be body-gripping traps. This limitation is inclusive of any beaver traps or snares set under paragraph (4)(ii).**

### CHAPTER 147. SPECIAL PERMITS

### Subchapter S. FURBEARER HUNTING-TRAPPING PERMITS

#### § 147.701. General.

This section provides for permits to be issued for the hunting and trapping of bobcat and the trapping of **otter and fisher** during the seasons established and in areas designated under § 139.4 (relating to seasons and bag limits for the license year).

(1) A permit will only be issued to those who possess a valid furtakers license, junior combination license or senior combination license.

(2) Permits will be made available through the Commission's Pennsylvania Automated Licensing System (PALS). The fee for the permit is \$5.

(3) Applications shall be submitted in accordance with periods set by the Director.

(4) Tagging requirements are as follows:

(i) A permitted person taking a bobcat, **otter** or fisher shall immediately, before removing the animal from the location of the taking, fully complete and attach to the animal a carcass tag furnished with the permit. The carcass tag must remain attached to the animal until a Convention on International Trade in Endangered Species (CITES) tag is attached, if applicable, or the animal is mounted, tanned, made into a commercial fur or prepared for consumption.

(ii) A permitted person taking a bobcat or fisher shall report the harvest to the Commission within 48 hours of the taking by a means specified by the Director. **A permitted person taking an otter shall report the harvest to the Commission within 24 hours of the taking by a means specified by the Director.**

(iii) A CITES tag for a bobcat **or otter** taken under this permit will be provided by the Commission in the event that the bobcat, **otter** or any parts thereof are exported internationally or upon request of the [ **permittee** ] **permittee**. The CITES tag shall immediately be locked through the eyes of the pelt or, in the event of any other part, locked through and attached to

the part. The CITES tag must remain attached to the animal until it is mounted, tanned, made into a commercial fur or prepared for consumption.

(iv) A permitted person taking a bobcat, **otter** or fisher shall surrender the carcass of this animal within 30 days if requested by the Commission.

[Pa.B. Doc. No. 15-505. Filed for public inspection March 20, 2015, 9:00 a.m.]

## [ 58 PA. CODE CH. 135 ]

### Lands and Buildings; State Game Lands

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend §§ 135.2 and 135.41 (relating to unlawful actions; and State game lands) to require that persons using portable hunting blinds or stands on State game lands or cooperative access properties mark their blinds or stands with a tag bearing their name and address or a number issued by the Commission.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. *Purpose and Authority*

The Commission has historically permitted the placement and use of portable hunting blinds and stands on State game lands and continued support for their allowance has not diminished. However, the Commission has identified that this allowance has, in certain instances, resulted in the unintended consequence of some portable hunting blinds and stands on State game lands seemingly becoming permanent fixtures due to long-term placement by hunters. While the Commission continues to support the placement and use of portable hunting blinds and stands on State game lands, it is proposing to amend § 135.41 to require that persons using portable hunting blinds or stands must mark their blinds or stands with a tag bearing their name and address or a number issued by the Commission. The Commission is also proposing to amend § 135.2 to extend the application of these requirements to portable hunting blinds or stands on cooperative access properties that are open to public hunting.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations . . . for its use and protection as necessary to properly manage these lands or waters.” The amendments to §§ 135.2 and 135.41 are proposed under this authority.

#### 2. *Regulatory Requirements*

The proposed rulemaking will amend §§ 135.2 and 135.41 to require that persons using portable hunting blinds or stands on State game lands or cooperative access properties mark their blinds or stands with a tag bearing their name and address or a number issued by the Commission.

#### 3. *Persons Affected*

Persons wishing to use portable hunting blinds or stands on State game lands or cooperative access properties will be affected by the proposed rulemaking.

#### 4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

#### 5. *Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. *Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-379. No fiscal impact; (8) recommends adoption.

### Annex A

### TITLE 58. RECREATION

### PART III. GAME COMMISSION

### CHAPTER 135. LANDS AND BUILDINGS

### Subchapter A. GENERAL PROVISIONS

#### § 135.2. Unlawful actions.

In addition to the prohibitions in the act on lands, waters or buildings under Commission ownership, lease, agreement, control or jurisdiction, it is unlawful, except with the permission of the person in charge of the lands, or the written permission of the Director to:

\* \* \* \* \*

(12) Possess, maintain, operate, occupy or travel by snowmobile or ATV in a manner not in accordance with the standards in 75 Pa.C.S. Chapter 77 (relating to Snowmobile and All-Terrain Vehicle Law).

**(13) Construct, place, maintain, occupy, use, leave or abandon structures or other tangible property, except in the manner otherwise authorized and limited by § 135.41(c)(11) (relating to State game lands).**

### Subchapter C. STATE GAME LANDS

#### § 135.41. State game lands.

\* \* \* \* \*

(c) *Additional prohibitions.* In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

\* \* \* \* \*

(11) Construct, place, maintain, occupy, use, leave or abandon any structures or other tangible property, except that portable hunting blinds or stands may be used subject to the following restrictions:

(i) Use may not cause damage to trees.

(ii) Except as provided in subparagraph (iii), overnight placement of portable hunting blinds or stands may not occur sooner than 2 weeks prior to the opening of the first deer season nor later than 2 weeks after the close of the last deer season within each wildlife management unit.



(iii) Overnight placement of portable hunting blinds is additionally permitted during the spring turkey season within each wildlife management unit.

**(iv) Portable hunting blinds or stands placed under subparagraph (ii) or (iii) must be conspicuously marked with a durable identification tag that legibly sets forth in the owner's first name, last name and legal home address in English or must bear a number issued by the Commission for this purpose.**

(12) Feed wildlife or lay or place any food, fruit, hay, grain, chemical, salt or other minerals.

\* \* \* \* \*

[Pa.B. Doc. No. 15-506. Filed for public inspection March 20, 2015, 9:00 a.m.]

## [ 58 PA. CODE CH. 139 ]

### Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2015-2016 hunting/trapping license year.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 to provide updated seasons and bag limits for the 2015-2016 license year. The 2015-2016 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

A proposed change to small game seasons includes opening the bobwhite quail season Statewide except for wildlife management unit (WMU) 5A where quail hunting will remain closed. A recently completed quail status report concluded that the bobwhite is extirpated from the wild and therefore there is not a biological basis for prohibiting hunting. The Commission is proposing to keep WMU 5A closed to quail hunting in the event restoration efforts are targeted in this WMU in the coming year. The Commission is also proposing to expand the crow hunting season to include an additional weekend to April 10 to take full advantage of the allotted days offered under the Migratory Bird Treaty.

In regard to wild turkey seasons, 2014 marked the final year of data collection for the hen harvest and survival

study. Preliminary analyses show an increase in harvest rate with a 1-week fall season increase, but further analyses are needed to determine the significance of the increase at the population level and to guide revision of criteria for determining fall season length. However, finalizing/adopting a new structured process for fall season recommendations by the April 2015 Commission meeting is not feasible. Therefore, this year's recommendations continue to use the current fall season recommendation process specified, and approved, in the Wild Turkey Management Plan. The Commission is recommending the same season structure as in 2014 for WMUs 2C, 2F, 2G and 2H. The Commission is also recommending a decrease in the fall season in WMUs 2E, 4A, 4B, 4D and 3D, from 3 weeks + 3-day Thanksgiving season to 2 weeks + 3-day Thanksgiving season. Both the spring harvest density and summer sighting index have declined. These units have some of the highest fall turkey hunter densities in this Commonwealth and, in accordance with the Wild Turkey Management Plan, a decrease in season length is recommended.

Regarding white-tailed deer seasons, the Commission is proposing to adjust WMUs 1A, 1B, 3A and 3D from a concurrent antlered/antlerless white-tailed deer season to a split antlered/antlerless white-tailed deer season. The Commission is also proposing to run the deer archery season in WMUs 2B, 5C and 5D from September 19 through November 28. Based on field data from marked deer in WMU 5C, antlered harvest rates are lower than Statewide averages. As a result, antlered harvest rates could increase without negative biological consequences. In addition, this change will simplify archery regulations in these WMUs.

Concerning furbearer seasons, the Commission is proposing to implement a river otter season in accordance with the strategies in the River Otter Management Plan. An otter trapping permit will be required to take a season limit of one otter.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to "fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife." Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to "promulgate regulations relating to seasons and bag limits for hunting or furtaking. . . ." The amendments to § 139.4 are proposed under this authority.

#### 2. Regulatory Requirements

The proposed rulemaking will amend § 139.4 by establishing when and where it is lawful to hunt and trap various game species and also place limits on the numbers that can be legally taken during the 2015-2016 hunting/trapping license year.

#### 3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2015-2016 hunting/trapping license year will be affected by the proposed rulemaking.

#### 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The effective dates of the proposed rulemaking are July 1, 2015, to June 30, 2016.

Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of

**Fiscal Note:** 48-374. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 58. RECREATION

## PART III. GAME COMMISSION

## CHAPTER 139. SEASONS AND BAG LIMITS

(*Editor's Note:* As part of this proposed rulemaking, the Commission is replacing the table which appears in 58 Pa. Code pages 139-3—139-15, serial pages (371983)—(371995) with the following table.)

## § 139.4. Seasons and bag limits for the license year.

(SEASONS AND BAG LIMITS TABLE)  
2015-2016 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrel—(Combined species) Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 16	6	18
Squirrel—(Combined species)	Oct. 17	Nov. 28	6	18
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 20, 2016		
Ruffed Grouse	Oct. 17	Nov. 28	2	6
	Dec. 14	Dec. 24		
	Dec. 26	Jan. 23, 2016		
Rabbit, Cottontail— Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 17	4	12
Rabbit, Cottontail	Oct. 24	Nov. 28	4	12
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 20, 2016		
Ring-necked Pheasant—There is no open season for the taking of pheasants in any area designated as a wild pheasant recovery area within any wildlife management unit.				
Ring-necked Pheasant—Male only in WMUs 2A, 2C, 4C, 4E, 5A and 5B Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 17	2	6

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Ring-necked Pheasant—Male or female combined in WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 17	2	6
Ring-necked Pheasant—Male only in WMUs 2A, 2C, 4C, 4E, 5A and 5B	Oct. 24	Nov. 28	2	6
	and			
	Dec. 14	Dec. 24		
	and			
	Dec. 26	Feb. 20, 2016		
Ring-necked Pheasant—Male or female combined in WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D	Oct. 24	Nov. 28	2	6
	and			
	Dec. 14	Dec. 24		
	and			
	Dec. 26	Feb. 20, 2016		
Bobwhite Quail—The hunting and taking of bobwhite quail is permitted in all WMUs except in WMU 5A where the season is closed.	Oct. 24	Nov. 28	4	12
Hare (Snowshoe Rabbit) or Varying Hares WMUs 3B, 3C and 3D	Dec. 26	Dec. 29	1	3
WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 4A, 4B, 4C, 4D, 4E, 5A, 5B, 5C and 5D	Dec. 26	Jan. 1, 2016	1	3
Woodchuck (Groundhog)	No closed season except during the regular firearms deer seasons. Hunting on Sundays is prohibited.		Unlimited	
Porcupine	Sept. 1	March 31, 2016	3	10
<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Fall (Male or Female)			1	1
WMU 2B (Shotgun, Bow and Arrow only)	Oct. 31	Nov. 20		
	and			
	Nov. 26	Nov. 28		
WMU 1B	Oct. 31	Nov. 7		
	and			
	Nov. 26	Nov. 28		
WMUs 1A, 2A, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, and 4D	Oct. 31	Nov. 14		
	and			
	Nov. 26	Nov. 28		
WMUs 2C, 4C, and 4E	Oct. 31	Nov. 20		
	and			
	Nov. 26	Nov. 28		
WMU 5A	Nov. 5	Nov. 7		
WMUs 5B, 5C and 5D	Closed to fall turkey hunting			
Turkey, Spring (Statewide) Youth Hunt <sup>1</sup> Bearded Bird only Eligible junior hunters only with the required license and when properly accompanied	April 23, 2016		1	1

## PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Spring (Statewide) <sup>1</sup>			1	2
Bearded Bird only	April 30, 2016	May 14, 2016	May be hunted 1/2 hour before sunrise to 12 noon	
	May 16, 2016	May 31, 2016	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

## MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about August 27 and September 28 of each year.

Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Crow	July 3	April 10, 2016	Unlimited	
(Hunting permitted on Friday, Saturday and Sunday only)				
Starling and English Sparrow	No closed season except during the regular firearms deer seasons.		Unlimited	

## FALCONRY

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrel—(Combined species)	Sept. 1	Mar. 31, 2016	6	18
Quail	Sept. 1	Mar. 31, 2016	4	12
Ruffed Grouse	Sept. 1	Mar. 31, 2016	2	6
Cottontail Rabbit	Sept. 1	Mar. 31, 2016	4	12
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2016	1	3
Ring-necked Pheasant—Male and Female—(Combined)	Sept. 1	Mar. 31, 2016	2	6

Migratory Game Bird—Seasons and bag limits shall be in accordance with Federal regulations.

## WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered and Antlerless) <sup>2</sup>	Sept. 19	Nov. 28	An antlered, and an antlerless deer with each required antlerless license.
WMUs 2B, 5C and 5D	Dec. 26	Jan. 23, 2016	
Deer, Archery (Antlered and Antlerless) <sup>2</sup>	Oct. 3	Nov. 14	One antlered, and an antlerless deer with each required antlerless license.
(Statewide)	Dec. 26	Jan. 9, 2016	
Deer, Muzzleloading (Antlerless only)	Oct. 17	Oct. 24	An antlerless deer with each required antlerless license.
(Statewide)			

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Special firearms (Antlerless only) (Statewide) Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard, with required antlerless license	Oct. 22	Oct. 24	An antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 2B, 5A, 5B, 5C and 5D	Nov. 30	Dec. 12	One antlered, and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered only) <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Nov. 30	Dec. 4	One antlered deer.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 5	Dec. 12	One antlered, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> (Statewide)	Dec. 26	Jan. 9, 2016	One antlered, or one antlerless—plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> WMUs 2B, 5C and 5D	Dec. 26	Jan. 23, 2016	One antlered, or one antlerless—plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 23, 2016	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

**BLACK BEAR**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, Archery <sup>4</sup> (Statewide)	Nov. 16	Nov. 20	1	1
Bear, Archery <sup>4</sup> WMUs 2B, 5C and 5D	Sept. 19	Nov. 14	1	1
Bear, Archery <sup>4</sup> WMU 5B	Oct. 3	Nov. 14	1	1
Bear, Muzzleloader <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Oct. 17	Oct. 24	1	1
Bear, Special Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D Junior and Senior License holders, disabled, and Pennsylvania residents on active duty in armed services	Oct. 22	Oct. 24	1	1
Bear, Regular Firearms <sup>4</sup> (Statewide)	Nov. 21	Nov. 25	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 2C, 4B, 4C, 4D and 4E	Dec. 2	Dec. 5	1	1

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, Extended Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Nov. 30	Dec. 12	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 3A, 3B, 3C and 3D	Nov. 30	Dec. 5	1	1

**ELK**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Elk, Regular <sup>5</sup> (Antlered and Antlerless)	Nov. 2	Nov. 7	1	One elk with required license
Elk, Extended <sup>5</sup> (Antlered and Antlerless)	Nov. 9	Nov. 14	1	One elk with required license
Elk, Special Conservation Tag <sup>5</sup> (Antlered and Antlerless)	Sept. 1	Nov. 7	1	One elk with required license

**FURTAKING—TRAPPING**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Mink and Muskrat (Statewide)	Nov. 21	Jan. 10, 2016	Unlimited	
Beaver (Statewide)	Dec. 26	Mar. 31, 2016		
WMUs 1A, 1B and 3C (Combined)			20	40
WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
Coyote, Fox, Opossum, Raccoon, Skunk, Weasel—(Statewide)	Oct. 25	Feb. 21, 2016	Unlimited	
Coyote and Fox—(Statewide) (Cable restraint devices may be used)	Dec. 26	Feb. 21, 2016	Unlimited	
Bobcat (with appropriate permit) WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 19	Jan. 10, 2016	1	1
Fisher (with appropriate permit) WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4D and 4E	Dec. 19	Dec. 24	1	1
River Otter (with appropriate permit) <sup>6</sup> WMUs 3C and 3D	Feb. 21, 2016	Feb. 23, 2016	1	1

**FURTAKING—HUNTING**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyote—(Statewide)	Outside of any big game season may be taken with a hunting license or a furtaker's license and without wearing orange.		Unlimited	
Coyote—(During any big game season)	May be taken while lawfully hunting big game or with a furtaker's license.			
Opossum, Striped Skunk, Weasel (Statewide)	No closed season.			
Raccoon and Fox—(Statewide)	Oct. 24	Feb. 20, 2016	Unlimited	
Bobcat (with appropriate permit) WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 16, 2016	Feb. 9, 2016	1	1
No open seasons on other wild birds or wild mammals.				



<sup>1</sup> Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only 1 spring gobbler. A maximum of 2 gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>2</sup> Only 1 antlered deer (buck) may be taken during the hunting license year.

<sup>3</sup> Includes persons who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>4</sup> Only 1 bear may be taken during the hunting license year.

<sup>5</sup> Only 1 elk may be taken during the hunting license year.

<sup>6</sup> Otter season may be extended up to 5 additional individual days beyond the listed last day of the otter season in the event the harvest quota is not met.

[Pa.B. Doc. No. 15-507. Filed for public inspection March 20, 2015, 9:00 a.m.]

## [ 58 PA. CODE CH. 139 ]

### Seasons and Bag Limits; Wildlife Management Units

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting proposed to amend § 139.17 (relating to wildlife management units) to expand Wildlife Management Unit (WMU) 5D north and west into WMU 5C to cover more developed urban areas.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

A uniform system of WMUs was implemented in 2003 to replace the system of multiple, species-specific management units. The primary objective of this new WMU system was to develop and implement wildlife management decisions on a system of more homogenous units based on physiographic, land cover and use, human population density and land ownership. WMU boundaries were defined using readily recognizable features on the landscape rather than hard to identify political boundaries. In 2008, the Commission conducted a 5-year evaluation of the structure of the WMU system which resulted in the development and implementation of four WMU map revisions. The Commission has again conducted an evaluation of the structure of the WMU system and is proposing to amend § 139.17 to expand WMU 5D north and west into WMU 5C to cover more developed urban areas.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the Commission to “[d]efine geographic limitations or restrictions.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety

of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 139.17 are proposed under this authority.

#### 2. Regulatory Requirements

The proposed rulemaking will amend § 139.17 to expand WMU 5D north and west into WMU 5C to cover more developed urban areas.

#### 3. Persons Affected

Persons wishing to hunt or trap game and wildlife in WMUs 5C and 5D may be affected by the proposed rulemaking.

#### 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

#### 5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-376. No fiscal impact; (8) recommends adoption.

### Annex A

## TITLE 58. RECREATION

### PART III. GAME COMMISSION

#### CHAPTER 139. SEASONS AND BAG LIMITS

#### § 139.17. Wildlife management units.

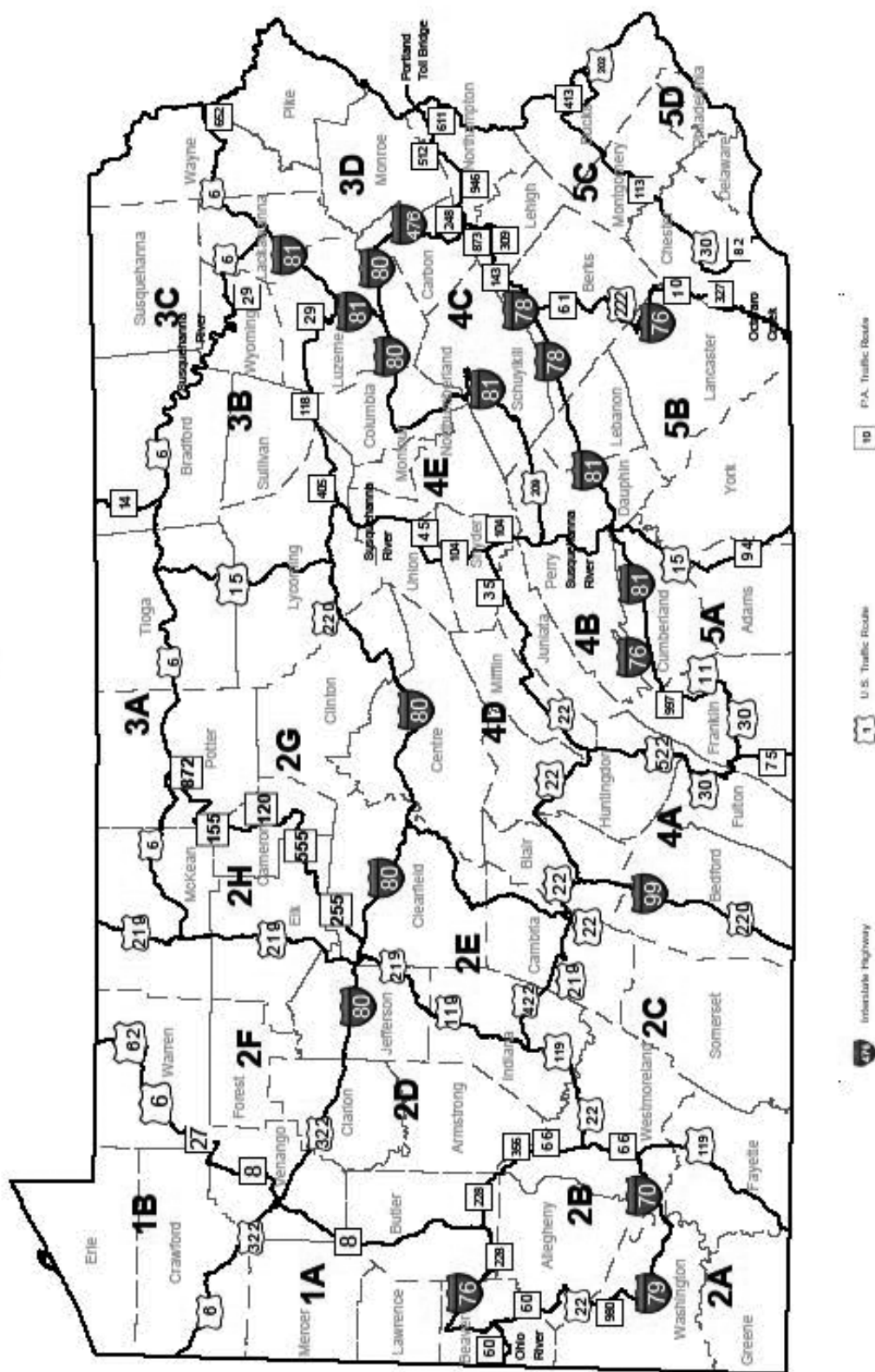
(a) The divisional line between two or more wildlife management units shall be the center of the highway, natural water course or other natural boundary.

(b) The outline map of Pennsylvania sets forth wildlife management units.

*(Editor's Note: As part of this proposed rulemaking, the Commission is replacing the map which appears in 58 Pa. Code page 139-19, serial page (366867) with the following map.)*



## Wildlife Management Units



[Pa.B. Doc. No. 15-508. Filed for public inspection March 20, 2015, 9:00 a.m.]

# PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CH. 659a ]

## Fortune Asia Poker; Table Games Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to amend Chapter 659a (relating to Fortune Asia Poker) to read as set forth in Annex A.

### *Purpose of the Proposed Rulemaking*

This proposed rulemaking will change the name of Asia Poker to Fortune Asia Poker and will add two additional side wagers to the game, the Insurance and Progressive Payout Wagers.

### *Explanation of Chapter 659a*

Asia Poker was renamed Fortune Asia Poker when a different licensed table game manufacturer acquired the rights to the game. In § 659a.1 (relating to definitions), additional definitions are proposed to be added to reflect the addition of two new side wagers to the game. A description of the table requirements, the additional side wagers and the ranking of the hands for the additional side wagers are proposed to be added to §§ 659a.2, 659a.6 and 659a.7 (relating to Fortune Asia Poker table; shaker; physical characteristics; Fortune Asia Poker rankings; and wagers).

The dealing procedures in §§ 659a.8—659a.11 are proposed to be amended to reflect the addition of the two new side wagers.

The payout odds for the new Insurance and Progressive Payout Wagers are proposed to be added to § 659a.12 (relating to payout odds).

### *Fiscal Impact*

**Commonwealth.** The Board does not expect that this proposed rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

**Political subdivisions.** This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

**Private sector.** This proposed rulemaking will provide certificate holders with additional operational options. If a certificate holder decides to offer Fortune Asia Poker with the additional side wagers within the licensed facility, the certificate holder will be required to train dealers on the rules of play and may need to purchase new equipment which will allow for the placement of progressive wagers. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

**General public.** This proposed rulemaking will not have fiscal impact on the general public.

### *Paperwork Requirements*

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated Rules Submission reflecting the changes. These forms are available and submitted to Board staff electronically.

### *Effective Date*

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

### *Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Susan A. Yocum, Assistant Chief Counsel, Attention: Regulation # 125-187 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

### *Contact Person*

The contact person for questions about this proposed rulemaking is Susan Yocum, Assistant Chief Counsel, (717) 346-8300.

### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 11, 2015, the Board 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 House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at [www.gamingcontrolboard.pa.gov](http://www.gamingcontrolboard.pa.gov).

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 Board, the General Assembly and the Governor of comments, recommendations or objections raised.

WILLIAM H. RYAN, Jr.,  
Chairperson

**Fiscal Note:** 125-187. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

### PART VII. GAMING CONTROL BOARD

### Subpart K. TABLE GAMES

### CHAPTER 659a. FORTUNE ASIA POKER

#### § 659a.1. Definitions.

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

**Copy hand**—A high hand, medium hand or low hand of a player that is identical in rank to the corresponding high hand, medium hand or low hand of the dealer.

**Envy Bonus**—An additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Fortune Asia Poker table is the holder of an Envy Bonus Qualifying Hand.

**Envy Bonus Qualifying Hand**—A player's Fortune Asia Poker hand with a rank of a four-of-a-kind or better formed from the seven cards dealt to a player.

*High hand*—The four-card hand that is formed from the seven cards dealt so as to rank higher than the medium hand and the low hand.

*Low hand*—The one-card hand that is formed from the seven cards dealt so as to rank lower than the high hand and the medium hand.

*Medium hand*—The two-card hand that is formed from the seven cards dealt so as to rank lower than the high hand and higher than the low hand.

**Qualifying Wager—A Fortune Bonus Wager of at least \$5 that may entitle a player to an Envy Bonus.**

*Setting the hands*—The process of forming a high hand, medium hand and low hand from the seven cards dealt.

§ 659a.2. **Fortune Asia Poker table; [Asia Poker] shaker; physical characteristics.**

(a) **Fortune Asia Poker** shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for **[an] a Fortune Asia Poker** table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the **Fortune Asia Poker Wager** for each player.
- (3) Three separate areas designated for the placement of the high hand, medium hand and low hand of each player.
- (4) Three separate areas designated for the placement of the high hand, medium hand and low hand of the dealer.
- (5) If the certificate holder offers the optional **Fortune Bonus Wager** authorized under [ § 659a.7(e) ] § 659a.7(e)(1) (relating to wagers), a separate area designated for the placement of the **Fortune Bonus Wager** for each player.

(6) If the certificate holder offers the optional **Insurance Wager** authorized under § 659a.7(e)(2), a separate area designated for the placement of the **Insurance Wager** for each player.

(7) If the certificate holder offers the optional **Progressive Payout Wager** authorized under § 659a.7(e)(3), a separate area designated for the placement of the **Progressive Payout Wager** for each player.

[ (6) ] (8) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each **Fortune Asia Poker** table.

[ (7) ] An inscription indicating the payout limit per hand established by the certificate holder under § 659a.12(c) (relating to payout odds; payout limitation) or a generic inscription indicating the game is subject to the posted payout limit. If the payout limit is not inscribed on the layout, a sign which sets forth the required information shall be posted at each **Asia Poker** table. ]

(c) To determine the starting position for the dealing or delivery of the cards, **Fortune Asia Poker** may be played with:

(1) **[An Asia Poker]** A shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The **[Asia Poker]** shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

(i) Be capable of housing three dice that when not being shaken shall be maintained within the **[Asia Poker]** shaker. Dice that have been placed in **[an Asia Poker]** a shaker for use in gaming may not remain on a table for more than 24 hours.

(ii) Be designed to prevent the dice from being seen while being shaken.

(iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

(2) A computerized random number generator which must be approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use.

**[ (3) A flat button which shall be approved by the Bureau of Gaming Operations prior to its use. ]**

(d) If the certificate holder offers the optional **Progressive Payout Wager** in accordance with § 659a.7(e)(3), the **Fortune Asia Poker** table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of **Progressive Payout Wagers**. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the **Progressive Payout Wager**.

(2) A device that controls or monitors the placement of **Progressive Payout Wagers** at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any **Progressive Payout Wager** that a player attempts to place after the dealer has announced “no more bets.”

[ (d) ] (e) Each **Fortune Asia Poker** table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer and in locations approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

[ (e) ] (f) Each **Fortune Asia Poker** table must have a discard rack securely attached to the top of the dealer's side of the table.

**§ 659a.3. Cards; number of decks.**

(a) Except as provided in subsection (b), **Fortune Asia Poker** shall be played with one deck of cards that are identical in appearance and two cover cards. The deck of cards used to play **Fortune Asia Poker** must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for gaming.



(b) If an automated card shuffling device is utilized, **Fortune Asia Poker** may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks of cards shall be continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck shall be placed in the discard rack at any given time.

(c) The decks of cards used in **Fortune Asia [ Ride ]** Poker shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

**§ 659a.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing cards.**

\* \* \* \* \*

(e) If there is no gaming activity at [ an ] a **Fortune Asia Poker** table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 659a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(f) A certificate holder may utilize a dealing shoe or other device designed to automatically reshuffle the cards provided that the device is submitted and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (c)—(e) do not apply.

(g) To determine the starting position for the dealing of cards, the certificate holder shall use one of the following:

(1) [ **An Asia Poker** ] A shaker in accordance with the following procedures:

(i) The dealer shall shake the [ **Asia Poker** ] shaker at least three times to cause a random mixture of the dice.

(ii) The dealer shall then remove the lid covering the [ **Asia Poker shaker** ] dice and place the uncovered shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total.

(iii) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice.

(iv) After the dealing procedures required under § 659a.8, § 659a.9 or § 659a.10 have been completed, the dealer shall place the cover on the [ **Asia Poker** ] shaker and shake the shaker once. The [ **Asia Poker** ] shaker shall then be placed to the right of the dealer.

(2) A computerized random number generator to select and display a number from 1 to 7. To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the number displayed by the random number generator.

[ (3) If an automated card shuffling device and dealing shoe are used under § 659a.10, a flat button to indicate the starting position. At the commencement of play, the button shall be placed in front of the dealer. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play. ]

(h) After the starting position for a round of play has been determined, a certificate holder may mark that position with an additional cover card or similar object approved by the Bureau of Gaming Operations.

**§ 659a.6. Fortune Asia Poker rankings.**

(a) The rank of the cards used in **Fortune Asia Poker**, in order of highest to lowest, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight formed with a 2, 3 and 4 but may not be combined with any other sequence of cards (for example: queen, king, ace and 2). The joker shall be used and ranked as an ace or may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

(b) The permissible Poker hands at the game of **Fortune Asia Poker**, in order of highest to lowest rank, shall be:

(1) Four aces, which is a high hand consisting of four aces.

[ (2) A royal flush, which is a high hand consisting of an ace, king, queen and jack of the same suit.

(3) ] (2) A straight flush, which is a [ high ] hand consisting of four cards of the same suit in consecutive ranking, with ace, [ 2, 3 and 4 ] king, queen, jack being the highest ranking straight [ flush; king, queen, jack and 10 being the second highest ranking straight flush; and 2, 3, 4 and 5 being the lowest ranking straight flush. The certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), specify that a straight flush formed with an ace, 2, 3 and 4 of the same suit is the lowest ranking straight ] flush and an ace, 2, 3, 4 being the second highest ranking straight flush.

[ (4) ] (3) A four-of-a-kind, which is a [ high ] hand consisting of four cards of the same rank, with four kings being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind.

[ (5) ] (4) A flush, which is a [ high ] hand consisting of four cards of the same suit. When comparing two flushes, the provisions in subsection (c) shall be applied.

[ (6) ] (5) A straight, which is a [ high ] hand consisting of four cards of consecutive rank, regardless of suit, with an ace, king, queen and jack being the highest ranking straight; an ace, 2, 3 and 4 being the second highest ranking straight; and a 2, 3, 4 and 5 being the lowest ranking straight. [ The certificate holder may, if specified in its Rules Submission under § 601a.2,



**specify that a straight formed with an ace, 2, 3 and 4, regardless of suit, is the lowest ranking straight. ]**

**[ (7) ] (6)** A three-of-a-kind, which is a **[ high ]** hand containing three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

**[ (8) ] (7)** Two pair, which is a **[ high ]** hand containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two-pair hand.

**[ (9) ] (8)** A pair, which is **[ either a high hand or a low ]** a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) When comparing two high hands, two medium hands or two low hands that are of identical hand rank under subsection (b), or contain none of the hands in subsection (b), the hand that contains the highest ranking card under subsection (a) **[ , which is not in the other hand, ]** shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this section, the hands shall be considered a copy.

(d) If the certificate holder offers the optional **Fortune Bonus Wager** under **[ § 659a.7(e) ] § 659a.7(e)(1)** (relating to wagers), the following **seven-card** hands shall be used to determine the amount of the bonus payout to a winning player:

**(1) [ A three-of-a-kind and four 8s. ] A seven-card straight flush with no joker, which is hand consisting of seven cards of the same suit in consecutive ranking, with no joker used to complete the straight flush.**

**(2) A royal flush plus Royal Match, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, with an additional king and queen of the same suit.**

**(3) A seven-card straight flush with a joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with a joker used to complete the straight flush.**

**[ (2) ] (4)** Five aces, which is a hand consisting of four aces and a joker.

**[ (3) ] (5)** A royal flush, which is a **five-card** hand consisting of an ace, king, queen, jack and 10 of the same suit.

**[ (4) A natural ] (6)** A straight flush, which is a hand consisting of five cards of the same suit in consecutive rank **[ with no joker ].**

**[ (5) A straight flush with a joker, which is a hand consisting of five cards of the same suit in consecutive rank, one of which is a joker.**

**(6) ] (7)** A four-of-a-kind, which is a hand consisting of four cards of the same rank regardless of suit.

**[ (7) A 9-high, which is a seven-card hand that contains a 9, 8, 7, 6, 4, 3 and 2 or a 9, 8, 7, 5, 4, 3 and 2. ]**

**(8)** A full house, which is a hand consisting of a three-of-a-kind and a pair.

**(9)** A flush, which is a hand consisting of five cards of the same suit.

**(10)** A three-of-a-kind, which is a hand containing three cards of the same rank regardless of suit.

**(11)** A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

**(e) If the certificate holder offers the optional Progressive Payout Wager under § 659a.7(e)(3), the following seven-card hands shall be used to determine the amount of the progressive payout to a winning player:**

**(1) Seven-card straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with or without a joker.**

**(2) Five aces, which is a hand consisting of four aces and a joker.**

**(3) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit or a king, queen, jack and 10 of the same suit and a joker.**

**(4) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking.**

**(5) A four-of-a-kind, which is a hand consisting of four cards of the same rank.**

**(6) A full house, which is a hand consisting of a three-of-a-kind and a pair.**

#### **§ 659a.7. Wagers.**

(a) Wagers at **Fortune Asia Poker** shall be made by placing value chips or plaques on the appropriate areas of the **Fortune Asia Poker** layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at **[ an ] a Fortune Asia Poker** table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of **[ player ] play**, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers at **Fortune Asia Poker** shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 659a.8, § 659a.9 or § 659a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) To participate in a round of play and compete against the dealer's high hand, medium hand and low hand, a player shall place **[ an ] a Fortune Asia Poker Wager.**

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed **[ an ] a Fortune Asia Poker Wager in accordance with subsection (d)**, the option of placing **[ a ] the following additional wagers:**

**(1) A Fortune Bonus Wager** that the seven cards dealt to the player will form a hand with a rank of **[ 9-high ] a straight** or better as described in § 659a.6(d) (relating to

**Fortune Asia Poker rankings) or three pair or better, depending on the payout table selected by the certificate holder.**

**(2) An Insurance Wager that the seven cards dealt to the player will form a seven-card Poker hand that does not contain a pair or better, as described in § 659a.6(d), but will contain a card ranked a nine-high or better.**

**(3) A Progressive Payout Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a full house or better as described in § 659a.6(e).**

(f) If specified in its Rules Submission under § 601a.2, a certificate holder may permit a player to wager on two adjacent betting areas at [ **an** ] a **Fortune Asia Poker** table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

**§ 659a.8. Procedures for dealing the cards from a manual dealing shoe.**

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance. Once the procedures required under § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce “no more bets” and [ **use one of the procedures authorized under § 659a.5(g) to determine the starting position for dealing the cards.** ]:

**(1) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager.**

**(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.**

**(c) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 659a.5(g).** The dealer shall then deal the first card to the starting position as determined in subsection (b) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is

closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

(d) After seven cards have been dealt to each position and the dealer, the dealer shall remove the stub from the manual dealing shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

**§ 659a.9. Procedures for dealing the cards from the hand.**

(a) If the cards are dealt from the dealer’s hand, the following requirements shall be observed:

**(1) An automated shuffling device shall be used to shuffle the cards.**

**(2) After the procedures required under § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the dealer shall place the deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand when holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.**

**(3) Prior to dealing any cards, the dealer shall announce “no more bets” and [ use one of the procedures authorized under § 659a.5(g) to determine the starting position for dealing the cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and shall use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. ]:**

**(i) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager.**

**(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.**

**(b) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 659a.5(g).** The dealer shall then deal the first card to the starting position as determined in subsection (a) and, continuing around the

table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards.

(c) After seven cards have been dealt to each position and the dealer, the dealer shall determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(d) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(e) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

**§ 659a.10. Procedures for dealing the cards from an automated dealing shoe.**

(a) If the cards are dealt from an automated dealing shoe, after the procedures under § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the cards shall be placed in the automated dealing shoe. Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets[ . ]” and:

**(1) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager.**

**(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.**

**(b) The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures under § 659a.5(g).** After the starting position for delivering the cards has been determined, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other positions, regardless of whether there is a wager at the position, and the dealer.

(c) After seven cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(d) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or

less than seven cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(e) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

**§ 659a.11. Procedures for completion of each round of play.**

(a) After the dealing procedures required under § 659a.8, § 659a.9 or § 659a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at [ an ] a **Fortune Asia** Poker table shall be responsible for setting his own hands and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player. If a player requests assistance in the setting of his hands, the dealer shall inform the player of the manner in which the certificate holder requires the hands of the dealer to be set in accordance with the certificate holder’s Rules Submission under § 601a.2 (relating to table games Rules Submissions).

(2) Each player shall keep his seven cards in full view of the dealer at all times.

(3) Once each player has set his three hands and placed them face down on the appropriate area of the layout, the player may not touch the cards again.

(b) Each player shall set his hands by arranging the cards into a high hand, a medium hand and a low hand. When setting the three hands, the four-card high hand must be higher in rank than the two-card medium hand and the medium hand must be higher in rank than the one-card low hand. For example, if the two-card medium hand contains a pair of sevens, the four-card high hand must contain at least a pair of sevens and the two remaining cards.

(c) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his hands by arranging the cards into a high hand, medium hand and low hand. The certificate holder shall specify in its Rules Submission under § 601a.2 the manner in which the hands of the dealer shall be set. The dealer shall then place the three hands face up on the appropriate area of the layout.

(d) Unless a player has placed an optional [ **Bonus Wager** ] **wager** in accordance with § 659a.7(e) (relating to wagers), a player may surrender his wager after the hands of the dealer have been set. The player shall announce his intention to surrender prior to the dealer exposing any of the three hands of that player as provided in subsection (e). Once the player has announced his intention to surrender, the dealer shall immediately collect the **Fortune Asia** Poker Wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. **If any Qualifying Wagers have been placed, the cards of the player must remain on the table until collected in accordance with subsection (h).** The dealer shall



verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(e) After the dealer has set a high hand, medium hand and a low hand, the dealer shall reveal all three hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the high, medium and low hand of each player to the high, medium and low hand of the dealer and shall announce if the **Fortune Asia Poker Wager** of that player wins or loses.

(f) [ **An** ] **A Fortune Asia Poker Wager** will:

(1) Lose and will immediately be collected if:

(i) Any two of the player's three hands are identical or lower in rank than the dealer's corresponding hands.

(ii) Any one of the player's three hands is identical in rank to the corresponding hand of the dealer and one of the player's remaining hands is lower in rank than the dealer's corresponding hand.

(iii) The high hand of the player was not set so as to rank higher than the medium hand of that player.

(iv) The medium hand of the player was not set so as to rank higher than the low hand of that player.

(v) The three hands of the player were not otherwise set correctly in accordance with this chapter.

(2) Win if any two of the player's three hands are higher in rank than the dealer's corresponding hands. The dealer shall pay the winning **Fortune Asia Poker Wager** in accordance with the payout odds in § 659a.12(a) (relating to payout odds[ ; **payout limitation** ]).

(g) Except as provide in subsection (h), after settling the player's **Fortune Asia Poker Wager**, the dealer shall place the cards of the player in the discard rack.

(h) If a player placed a **Fortune Bonus, Insurance or Progressive Payout Wager**, after settling the player's **Fortune Asia Poker Wager**, the dealer shall rearrange the seven cards of any player and form the highest ranking hand and shall be responsible for creating the hand [ **for purposes of the Bonus Wager. If a player:** ]. If any player at the table placed a **Qualifying Wager**, the dealer shall rearrange the cards of all players regardless of whether the player placed a **Fortune Bonus Wager**. After rearranging the player's seven cards, the dealer shall settle the player's **Fortune Bonus, Insurance or Progressive Payout Wagers** as follows:

(1) **For the player's Fortune Bonus Wager:**

(i) **If a player:**

(A) Does not have a [ **9-high or better** ] **straight or higher**, as described in § 659a.6(d) (relating to **Fortune Asia Poker rankings**) **or three pair or higher, depending on the payout table selected by the certificate holder**, the dealer shall collect the **Fortune Bonus Wager** and place the cards of the player in the discard rack.

[ (2) **Has a 9-high or better** ] (B) **Has a straight or higher**, the dealer shall pay the winning **Fortune Bonus Wager** in accordance with § 659a.12(b) and place the cards of the player in the discard rack. **If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer**

**shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.**

(C) **Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.**

(ii) **After all Fortune Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 659a.12(b) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Fortune Asia Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.**

(2) **For the player's Insurance Wager, if a player:**

(i) **Has a pair or better, the dealer shall collect the player's Insurance Wager and place the cards of the player in the discard rack.**

(ii) **Does not have a pair or better, but has a card ranked a nine-high or better, the dealer shall pay the winning Insurance Wager in accordance with § 659a.12(c). The dealer shall then place the cards of the player in the discard rack.**

(3) **For the player's Progressive Payout Wager, if a player:**

(i) **Does not have a full house or better, as described in § 659a.6(e), the dealer shall collect the Progressive Payout Wager and place the cards of the player in the discard rack.**

(ii) **Has a full house or better, the dealer shall:**

(A) **Verify that the hand is a winning hand.**

(B) **Verify that the appropriate light on the progressive table game system has been illuminated.**

(C) **Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.**

(D) **Pay the winning Progressive Payout Wager in accordance with the payout odds in § 659a.12(d). If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.**

(i) **Notwithstanding the card collection requirements in subsection (h), if the certificate holder offers more than one optional wager, the dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.**

[ (i) ] (j) **All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.**

§ 659a.12. **Payout odds[ ; **payout limitation** ].**

(a) **A certificate holder shall pay each winning Fortune Asia Poker Wager at odds of 1 to 1.**



(b) The certificate holder shall pay out winning **Fortune Bonus Wagers and Envy Bonus payouts** at the odds **and amounts** in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>[ Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Three-of-a-kind and four 8s	5,000 to 1	5,000 to 1	5,000 to 1
Five aces	800 to 1	800 to 1	800 to 1
Royal flush	200 to 1	200 to 1	200 to 1
Natural straight flush	80 to 1	50 to 1	50 to 1
Straight flush with a joker	40 to 1	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1	25 to 1
9-high	10 to 1	10 to 1	10 to 1
Full house	5 to 1	5 to 1	5 to 1
Flush	4 to 1	4 to 1	4 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1
Straight	2 to 1	2 to 1	2 to 1 ]

<i>Hand</i>	<i>Paytable A</i>	<i>Envy Bonus</i>
Seven card straight flush	8,000 to 1	\$5,000
Royal flush and Royal Match	2,000 to 1	\$1,000
Seven-card straight flush with joker	1,000 to 1	\$500
Five aces	400 to 1	\$250
Royal flush	150 to 1	\$50
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

<i>Hand</i>	<i>Paytable B</i>	<i>Envy Bonus</i>
Seven-card straight flush	5,000 to 1	\$3,000
Royal flush and Royal Match	2,000 to 1	\$1,000
Seven-card straight flush with joker	1,000 to 1	\$500
Five aces	400 to 1	\$250
Royal flush	150 to 1	\$50
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

<i>Hand</i>	<i>Paytable C</i>	<i>Envy Bonus</i>
Seven-card straight flush	5,000 to 1	\$1,000
Royal flush and Royal Match	1,000 to 1	\$250
Seven-card straight flush with joker	750 to 1	\$100
Five aces	250 to 1	\$50

<i>Hand</i>	<i>Paytable C</i>	<i>Envy Bonus</i>
Royal flush	100 to 1	\$25
Straight flush	50 to 1	\$10
Four-of-a-kind	20 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	
Three pair	Push	

<i>Hand</i>	<i>Paytable D</i>	<i>Envy Bonus</i>
Seven-card straight flush	2,500 to 1	\$1,000
Royal flush and Royal Match	1,000 to 1	\$750
Seven-card straight flush with joker	750 to 1	\$250
Five aces	250 to 1	\$100
Royal flush	125 to 1	\$50
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

(c) [ Notwithstanding the payout odds in subsections (a) and (b), a certificate holder may, in its Rules Submission under § 601a.2, establish a maximum amount that is payable to a player on a single hand. The maximum payout amount shall be at least \$50,000 or the maximum amount that one player could win per round when betting the minimum permissible wager, whichever is greater. ] The certificate holder shall pay out winning Insurance Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Nine-high	100 to 1	100 to 1	100 to 1
Ten-high	40 to 1	50 to 1	40 to 1
Jack-high	10 to 1	10 to 1	10 to 1
Queen-high	7 to 1	7 to 1	7 to 1
King-high	6 to 1	5 to 1	5 to 1
Ace-high	3 to 1	3 to 1	3 to 1

(d) If the certificate holder offers the Progressive Payout Wager:

(1) The certificate holder shall pay out winning Progressive Payout Wagers at the odds in the following payable:

<i>Hand</i>	<i>Payout</i>
Seven-card straight flush	100%
Five aces	10%
Royal flush	500 for 1
Straight flush	100 for 1
Four-of-a-kind	75 for 1
Full house	4 for 1

(2) The initial and reset amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least \$2,000.

[Pa.B. Doc. No. 15-509. Filed for public inspection March 20, 2015, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Suspension of 2% Biodiesel Content Mandate

The Department of Agriculture (Department) received a request to suspend the 2% biodiesel content mandate in diesel fuel sold for on-road use arising from section 3(a)(1) of the Biofuel Development and In-State Production Incentive Act (act) (73 P. S. § 1650.3(a)(1)).

The request was made under section 5(d) of the act (73 P. S. § 1650.5(d)), which states the Department, in consultation with the Department of Environmental Protection (DEP), may suspend or modify to reduce the mandated content required by section 3(a)(1) of the act if the Department determines that doing so is warranted by factors, including, but not limited to, substantially increased costs to consumers or insufficient quantity or distribution of biodiesel.

There exists a shortage of 2% biodiesel blend available to certain retailers through their regular distribution channels in certain areas of this Commonwealth. The Department, in consultation with DEP, has evaluated conditions impacting the available supply of 2% biodiesel blend and has determined that it is necessary to take the following action to minimize or prevent disruption of the supply of biodiesel blend in this Commonwealth.

The Department hereby issues a partial suspension in the Commonwealth as more fully set forth herein of the

2% biodiesel mandate imposed under section 3(a)(1) of the act effective immediately, March 2, 2015, and expiring at 11:59 p.m. on March 4, 2015. The terms of the suspension are as follows:

- All retailers, as defined in the act, who take delivery of diesel fuel during the period of suspension blended outside this Commonwealth which is not compliant with the 2% biodiesel mandate may sell this diesel fuel to consumers during the period of suspension. The diesel fuel delivered during the period of suspension may be sold to consumers after the suspension expires until the delivered diesel fuel is out of the retailer's possession. Any new deliveries to a retailer after the suspension expires will be subject to all provisions of the act.

The Department will continue to monitor conditions impacting the available supply of 2% biodiesel blend in this Commonwealth. Should conditions warrant, this suspension may be modified, terminated or extended, as appropriate.

Questions about this suspension should be directed to the Department through the Bureau of Ride and Measurement Standards, Director Walter Remmert, (717) 787-9089, [wremmert@pa.gov](mailto:wremmert@pa.gov).

RUSSELL C. REDDING,  
*Acting Secretary*

[Pa.B. Doc. No. 15-510. Filed for public inspection March 20, 2015, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 10, 2015.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-4-2015	S&T Bancorp, Inc. Indiana Indiana County  Application to acquire 100% of Integrity Bancshares, Inc., Camp Hill and thereby indirectly acquire 100% of Integrity Bank, Camp Hill.	Effective

**Branch Applications  
De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-4-2015	Brentwood Bank Bethel Park Allegheny County	Washington Pike and Millers Run Road Bridgeville Allegheny County	Approved
3-4-2015	Jonestown Bank and Trust Company Jonestown Lebanon County	1 Boyd Street Cornwall Lebanon County	Approved
3-4-2015	West Milton State Bank West Milton Union County	397 Point Township Drive Northumberland Northumberland County	Approved
3-9-2015	Elderton State Bank Elderton Armstrong County	1906 River Road North Apollo Armstrong County	Filed

**CREDIT UNIONS**

No activity.

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

ROBIN L. WIESSMANN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-511. Filed for public inspection March 20, 2015, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, March 25, 2015, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this meeting or agenda items can be directed to Gretchen Leslie at (717) 787-9293. Persons

who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Danna Koren directly at (717) 783-5878 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-512. Filed for public inspection March 20, 2015, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. 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>
PA0061727 (Sewage)	St. Gabriels Retreat House STP St. Gabriels Monastery 631 Griffon Pond Road Clarks Summit, PA 18411-8828	Lackawanna County South Abington Township	Unnamed Tributary of Leggetts Creek (5-A)	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>
PA0261432 (IW)	Newport Borough Water Authority 231 Market Street Newport, PA 17074	Perry County Newport Borough Oliver Township	Juniata River/12-B	Y

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

<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>
PA0233897 (Sewage)	Wade J. Robbins SFTF 273 Paradise Lane Julian, PA 16844	Centre County, Huston Township	Unnamed Tributary of Bald Eagle Creek (9-C)	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>
PA0210161 (Industrial Waste)	PA American Water Butler Seven Hills Road Butler, PA 16001	Butler County Oakland Township	Unnamed Tributary to Connoquenessing Creek & Thorn Creek (20-C)	Y
PA0101320 (Sewage)	Titusville Estates 701 East Spring Street Titusville, PA 16354	Crawford County Oil Creek Township	Unnamed Tributary to the Pine Creek (16-E)	Y

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

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.*

**PA0205028**, SIC Code 5171, **Buckeye Terminal LLC**, 134 BP Tank Lane, Greensburg, PA 15601. Facility Name: Buckeye Terminals, LLC Greensburg Facility. This existing facility is located in Hempfield Township, **Westmoreland County**.

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

The receiving stream, an Unnamed Tributary to Jacks Run, is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Ethylbenzene	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	Report	Report	XXX
Total BTEX	XXX	XXX	XXX	Report	Report	XXX
Ethanol <sup>(1)</sup>	XXX	XXX	XXX	Report	Report	XXX
Toluene	XXX	XXX	XXX	Report	Report	XXX
Total Xylenes	XXX	XXX	XXX	Report	Report	XXX

<sup>(1)</sup> Ethanol samples shall be analyzed using EPA Method 8290B.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PA0053279**, Sewage, SIC Code 5499, **The Mckee Group, Village Of Buckingham Springs**, 1490 Durham Road, New Hope, PA 18938. Facility Name: Village of Buckingham Springs STP. This facility is located in Buckingham Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Village of Buckingham Springs STP, serving a retirement community known as Village of Buckingham Springs.

The receiving stream(s), Unnamed Tributary to Mill Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for Aqua PA on Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.06	XXX	0.19
CBOD <sub>5</sub>						
May 1 - Oct 31	8.3	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	13	XXX	XXX	15	XXX	30
Total Suspended Solids	25	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N						
Jul 1 - Oct 31	6.7	XXX	XXX	8.0	XXX	16
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	2.5	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	5.8	XXX	XXX	7.0	XXX	14
Total Phosphorus						
Apr 1 - Oct 31	1.1	XXX	XXX	1.5	XXX	3.0
Total Phosphorus						
Nov 1 - Mar 31	1.7	XXX	XXX	2.0	XXX	4.0

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

- No Stormwater in Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Minimization
- Small Stream Discharges
- Notification of Designated Operator

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0011282**, SIC Code 4941, **Aqua Pennsylvania Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Crum Creek Water Filtration Plant. This existing facility is located in Springfield Township, **Delaware County**.

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

The receiving stream(s), Crum Creek, is located in State Water Plan watershed 3-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an emergency discharge flow.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.0	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	1.24	2.48	3.10
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	XXX	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.555 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.0	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	2.0	4.0	5.0
Acrylamide	XXX	XXX	XXX	XXX	Report	XXX
Chlorodibromomethane	XXX	XXX	XXX	XXX	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 003 and 004 are based on emergency discharge flows.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.0	1.2
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 013 are based on a design flow of 0.094 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Condition
- D. ELG Reopener
- E. Small Stream Discharge
- F. TRC Restriction for Potable Drinking Water Discharge
- G. Lagoon Discharge
- H. Chemical Additive Condition

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

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

**PA0081345**, Sewage, SIC Code 8221, **Grier Foundation**, P. O. Box 308, Tyrone, PA 16686-308. Facility Name: Grier School. This existing facility is located in Warriors Mark Township, **Huntingdon 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 Juniata River, is located in State Water Plan watershed 11-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0225 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>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	Avg Mo 25 Avg Mo	XXX	50

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Quarterly</i>		
Total Suspended Solids	XXX	XXX	XXX	30 Avg Mo	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0085243**, Sewage, SIC Code 4952, **Manns Choice Borough & Harrison Township Joint Sewer Authority**, PO Box 28, Manns Choice, PA 15550-28. Facility Name: Manns Choice Harrison Township STP. This existing facility is located in Harrison Township, **Bedford 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), Raystown Branch Juniata River, is located in State Water Plan watershed 11-C and is classified for Trout Stocking, 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 0.07 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
CBOD <sub>5</sub>	14	23 Wkly Avg	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	17	26 Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Solids management and reporting requirements
- Chlorine minimization
- Restrictions on acceptance of hauled-in waste under certain conditions

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0085715**, SIC Code 4952, **Bertha R. Geib**, 504 Hemlock Lane, Lebanon, PA 17042-9015. Facility Name: Geib Residence. This existing facility is located in Cornwall Borough, **Lebanon 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), unnamed tributary of Shearers Creek, is located in State Water Plan watershed 7-G 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 0.0004 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 10	XXX	20

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PAS213502**, Storm Water, SIC Code 3273, **Frank Casilio & Sons Inc.**, 1035 Mauch Chunk Road, Bethlehem, PA 18018-6622. Facility Name: Frank Casilio & Sons—Kutztown Concrete Plant. This proposed facility is located in Maxatawny Township, **Berks County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of stormwater associated with industrial activities.

The receiving stream(s), Unnamed Tributary to Sacony Creek, is located in State Water Plan watershed 3-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0038130**, Sewage, SIC Code 4952, **Mont Alto Borough Franklin County**, PO Box 427, Mont Alto, PA 17237-0427. Facility Name: Mont Alto STP. This existing facility is located in Quincy Township, **Franklin 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, Unnamed Tributary to West Branch Antietam Creek, is located in State Water Plan watershed 13-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.3 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	63	100	XXX	25	40	50
		Wkly Avg				

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	75	113	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	16.3	XXX	XXX	6.5	XXX	13
Nov 1 - Apr 30	48.9	XXX	XXX	19.5	XXX	39
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	5.0	XXX	XXX	2.0	XXX	4.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0261891**, SIC Code 4941, **Bear Valley Franklin County PA Joint Authority**, 218 School House Road, St Thomas, PA 17252-0308. Facility Name: Bear Valley WTP. This proposed facility is located in Peters Township, **Franklin County**.

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

The receiving stream, Unnamed Tributary of West Branch Conococheague Creek, is located in State Water Plan watershed 13-C and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0364 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Avg	Report Daily	XXX	XXX	XXX	XXX
	Mo	Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.08	XXX	0.25
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	0.70	1.40	1.75
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5
Total Zinc	XXX	XXX	XXX	0.20	0.40	0.50

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0083585**, Sewage, SIC Code 4952, **Todd Township Fulton County**, 2998 East Dutch Corner Road, McConnellsburg, PA 17233. Facility Name: Todd Township STP. This existing facility is located in Todd Township, **Fulton 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, Licking Creek, is located in State Water Plan watershed 13-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0202 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	4.2	6.2	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	5	7.6	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

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

**PA0272914**, Sewage, SIC Code 4952, 8800, **Donna & William Despain**, 106 Wasser Road, Greenville, PA 16125. Facility Name: Donna & William Despain SRSTP. This proposed facility is located in Hempfield Township, **Mercer County**.

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

The receiving stream is an unnamed tributary of the Little Shenango River, located in State Water Plan watershed 20-A and is classified for Trout Stocking, 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 0.0004 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

**PA0273007**, Sewage, SIC Code 8800, **Frank C. Wilcox**, 1347 Valentine Run Road, Russell, PA 16345. Facility Name: Frank C. Wilcox SRSTP. This proposed facility is located in Pine Grove Township, **Warren County**.

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

The receiving stream, the Rhine Run, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass (lbs/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is 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. 0115201**, Industrial Waste, **Knouse Foods Cooperative, Inc.**, 800 Peach Glen, Idaville Road, Peach Glen, PA 17375.

This proposed facility is located in Tyrone Township and Huntington Township, **Adams County**.

Description of Proposed Action/Activity: Replacement of existing treatment system with a new biological treatment facilities for both the process and sanitary wastewater.

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

**WQM Permit No. WQG01201501**, Sewage, **Denise L & Michael R Fraser**, 25401 State Street, Saegertown, PA 16433.

This proposed facility is located in Blooming Valley Borough, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 4315402**, Sewage, **Rebecca J. Davis**, 27 Hnida Road, West Middlesex, PA 16159.

This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: Small Flow Sewage Treatment Facility to replace a malfunctioning on-lot system.

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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Carbon County Conservation District, 5664 Interchange Road, Lehigh, PA 18235-5114*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI021315001	Mr. Mieczyslaw Klecha 469 Forest Street Lehigh, PA 18235	Carbon	Franklin Township	Sawmill Run (EV)

*Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown PA 18104*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023914028	Peter Rautzhan DeSales University 2755 Station Avenue Center Valley, PA 18034	Lehigh	Upper Saucon Township	Laurel Run (CWF, MF)

*Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg, PA 18360-0917*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024513001-4	Kalahari Resorts, LLC 1305 Kalahari Drive P. O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna and Pocono Townships	UNTS to Indian Run (EV) Indian Run (EV) UNTS to Swiftwater Creek (EV) Swiftwater Creek (EV)



*Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth, PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024814014	Wagner Enterprises, LTD Attn: Mark Wagner P. O. Box 3154 Easton, PA 18043	Northampton	City of Bethlehem	Saucon Creek (HQ-CWF, 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>
PAI025409004R	H&S Investment Properties Attn: Mr. Roy Heim, President 1020 Chestnut Road Orwigsburg, PA 17961	Schuylkill	East Norwegian Township	Mill Creek (CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032115001	Lexington Land Developers Corporation 336 West King Street Lancaster, PA 17603	Cumberland	South Middleton Township	Letort Spring Run (EV Wetlands)
PAI032814004	Chambersburg Investors, LLC 600 Old Country Road, Suite 435 Garden City, NY 11530	Franklin	Guilford Township	Falling Spring Branch (HQ-CWF)
PAI000115001	Pine Cone Properties, LLC 1601 Lindsay Lot Road Shippensburg, PA 17257	Adams	Menallen Township	Dead Woman Hollow (Mountain Creek Basin) (HQ-CWF)
PAI030614004	Pennsylvania Department of Transportation Engineering District 5-0 1002 West Hamilton Street Allentown, PA 18101-1013	Berks	Richmond & Perry Townships	Maiden Creek (WWF, MF) Moselem Creek (HQ-CWF, MF) EV Wetlands

*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>
PAI041415002	State College Area Sch Dist 131 W Nittany Ave State College, PA 16801	Centre	State College Boro	Trib to Slab Cabin Run HQ-CWF

*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>
PAI052613003-1	NWL Corporation	Fayette	Wharton Township	UNT to Beaver Creek (HQ-CWF)
PAI056310001R	Commonwealth of PA— Department of General Services	Washington	North Bethlehem Township	Little Chartiers Creek (HQ-WWF), Ohio River (WWF)

## 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.*

**PAG123801**, CAFO, **Melvin L. Bricker CAFO**, 6429 Fort McCord Road, Chambersburg, PA 17202.

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

Description of Size and Scope of Proposed Operation/Activity: 447.89 AEU turkey operation.

The receiving stream, Dennis Creek, 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.

## 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

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Application No. 3915501**, Public Water Supply.

Applicant	<b>KEN-MAN Company, Inc.</b> 7963 Rextown Road, Slatington, PA 18080
[Township or Borough]	Washington Township, <b>Lehigh County</b>
Responsible Official	Edward Christman
Type of Facility	PWS
Consulting Engineer	Kerry D. Tyson, PE Nittany Engineering & Associations, Inc., Suite 1, 2836 Earlstown Road Center Hall, PA 16828 (814) 364-2262

Application Received Date	02-24-2015
Description of Action	Modification to existing system and 4-Log Treatment of Viruses for Groundwater Sources well # 1 & 2

**Application No. 4015505 Major Amendment**, Public Water Supply.

Applicant	<b>Aqua PA, Inc.</b> 1 Aqua Way White Haven, PA 18661
[Township or Borough]	Kingston Township, <b>Luzerne County</b>
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	PWS
Consulting Engineer	Peter Lusardi, PE GHD 1240 North Mountain Road Harrisburg, PA 17112 (717) 541-0622
Application Received Date	02/26/2015
Description of Action	Installation of polyphosphate feed system for sequestration of manganese and corrosion control system

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 0615504**, Public Water Supply.

Applicant	<b>The Caernarvon Township Authority</b>
Municipality	Caernarvon Township
County	<b>Berks</b>
Responsible Official	Robert L. Weaver, Chairman P. O. Box 188 Morgantown, PA 19543
Type of Facility	Public Water Supply
Consulting Engineer	Holly C. Cinkutis, P.E. Great Valley Consultants 75 Commerce Drive Wyomissing, PA 19610
Application Received:	2/23/2015
Description of Action	New source Well No. 7, treatment building, booster pumps and storage tank.

**Permit No. 0614507 MA, Minor Amendment,** Public Water Supply.

Applicant **Borough of Shoemakersville**  
 Municipality Shoemakersville Borough  
 County **Berks**  
 Responsible Official Joseph Wertz Jr, Borough Council Member  
 115 East Ninth Street  
 Shoemakersville, PA 19555  
 Type of Facility Public Water Supply  
 Consulting Engineer Bradley D. Smith, P.E.  
 ARRO Consulting, Inc.  
 50 Berkshire Court  
 Wyomissing, PA 19610  
 Application Withdrawn: 3/5/2015  
 Description of Action Request to increase capacity at existing Entry Point 102.

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

**Permit No. 3215501,** Public Water Supply.

Applicant **Indiana County Municipal Services Authority**  
 602 Kolter Drive  
 Indiana, PA 15701  
 [Township or Borough] South Mahoning Township  
 Responsible Official Michael Duffalo, Executive Director  
 Indiana County Municipal Services Authority  
 602 Kolter Drive  
 Indiana, PA 15701  
 Type of Facility Water system  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 P. O. Box 853  
 Latrobe, PA 15650  
 Application Received Date February 26, 2015  
 Description of Action Installation of a 13,000 gallon water storage tank with a mixing system.

**Permit No. 3015501,** Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**  
 1442 Jefferson Road  
 Jefferson, PA 15334  
 [Township or Borough] German Township  
 Responsible Official John Golding, Manager  
 Southwestern Pennsylvania Water Authority  
 1442 Jefferson Road  
 Jefferson, PA 15334  
 Type of Facility Water system  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Suite 200  
 Cheswick, PA 15024

Application Received Date March 3, 2015  
 Description of Action Repainting and installation of a mixing system at the Gates #2 water storage tank.

**Application No. 0215509,** Public Water Supply.

Applicant **Richland Township Municipal Authority**  
 2012 Kramer Road  
 Gibsonsia, PA 15044  
 [Township or Borough] Richland Township  
 Responsible Official Scott Trzeciak, Water System Supervisor  
 Richland Township Municipal Authority  
 2012 Kramer Road  
 Gibsonsia, PA 15044  
 Type of Facility Water system  
 Consulting Engineer KLH Engineers, Inc.  
 5173 Campbells Run Road  
 Pittsburgh, PA 15044  
 Application Received Date February 1, 2015  
 Description of Action Blasting and painting of the Bakerstown water storage tank.

#### 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**

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

**WA 10-1007A,** Water Allocations, **Petroleum Valley Regional Water Authority**, P. O. Box P, Bruin, PA 16022, Bruin Borough, **Butler County**. Renewal for subsidiary allocation for 285,000 gpd from East Brady Borough to provide water service to various locations along the Route 68/268 corridor from Bruin to East Brady.

#### 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:

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

**Palmer Station Facility**, 446 Palmer Road, Lawrenceville, PA 16929, Farmington Township, **Tioga County**. The Mahfood Group LLC, 1061 Waterdam Plaza Drive, Suite 201, McMurray, PA 15317, on behalf of UGI Storage Company, 1 Meridian Blvd. Suite 2C01, Reading, PA 19610, has submitted a Notice of Intent to Remediate. Constituents associated with activities at the compressor station include benzene, toluene, ethylbenzene, and total xylenes (BTEX), chlorinated solvents, polycyclic aromatic hydrocarbons (PAHs), primary pollutant metals (PPMs), including mercury and polychlorinated biphenyls (PCBs). Future use of the property is expected to remain a natural gas compressor station and will continue to be utilized for non-residential use. The Notice of Intent to Remediate was published in the *Free Press-Courier* on February 4, 2015.

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

**Williams Hawley Compressor Station**, 3028 Chestnut Ridge Road, Forest Lake Township, **Susquehanna**

**County**. CB&I Environmental & Infrastructure Inc., 2790 Mosside Boulevard, Monroeville, PA 15146, on behalf of Williams Field Services Company LLC, One Williams Center, Tulsa, OK 74172, submitted a Notice of Intent to Remediate. New lubricating oil contamination was discovered after stained soil and/or odors were identified around the generator building. The proposed future use of the property will be residential, and the proposed cleanup standard for the site is the Statewide Health Standard for soil. The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on February 11, 2015.

**Diblasi Residence**, 33 Lincoln Street, Edwardsville Borough, **Luzerne County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Mr. Raoul Diblasi, 33 Lincoln Street, Edwardsville, PA 18704-1536, submitted a Notice of Intent to Remediate. A release of kerosene occurred at the property. The future use of the site is residential, and the and the proposed cleanup standard for the site is the Statewide Health Standard for soil. The Notice of Intent to Remediate was published in *The Citizens Voice* on February 13, 2015.

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

**John Riddell Property**, 8221 Jonestown Road, Grantville, PA, East Hanover Township, **Dauphin County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of John Riddell, 8221 Jonestown Road, Grantville, PA 17028-8635, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Lebanon Daily News* on February 12, 2015.

**750L Release Site/416 Weaver Road/Buckeye Pipeline**, 416 Weaver Road, Manheim, PA, Rapho Township, **Lancaster County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Buckeye Partners, LP, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031, and RJR Leasing, LLC, 416 Weaver Road, Manheim, PA 17545, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with unleaded gasoline from a ruptured pipeline. The site will be remediated to a combination of Residential Statewide Health and Site Specific Standards. Future use of the site remains agricultural and residential. The Notice of Intent to Remediate was published in the *LNP* on December 24, 2014.

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

**Waterford Dollar General**, 12674 Route 19, Waterford Township, **Erie County**. Lakeshore Environmental, Inc., 588 Three Mile Road, NW, Suite 201, Grand Rapids, MI 49544, on behalf of Midwest XV, LLC, 403 Oak Street, Spring Lake, MI 49456, submitted a Notice of Intent to Remediate. The site was part of a former retail gasoline distribution and service station and the soil has been found to contain volatile organic compounds. The intended future use of the property will be non-residential. The Statewide Health Standard has been selected for remediation. The Notice of Intent to Remediate was published in *The Erie-Times News* on February 25, 2015.



## RESIDUAL WASTE GENERAL PERMITS

**Application Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application No. WMGR105. Appvion, Inc.,** 100 Paper Mill Road, Roaring Spring, PA 16673; **Blair County.** This general permit renewal application is for the beneficial use of bottom ash generated from the burning as a fuel of a mixture of coal, bark, wood, and pulp and paper mill sludge in a circulating fluidized bed boiler for use as a construction material, anti-skid, and in reclamation of active and abandoned mines. The application was determined to be administratively complete by Central Office on February 3, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at [ra-epbenuseall@pa.gov](mailto:ra-epbenuseall@pa.gov). When submitting comment via e-mail, place "Comments on WMGR105" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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 general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit,

may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a revised Plan Approval No. 48-00004B to ESSROC Cement Corporation, Route 248 and Easton Road, Nazareth, PA 18064, for their plant located in Lower Nazareth Township, Northampton County. The facility currently operates under Title V Operating Permit No. 48-00004. This plan approval will be incorporated into the Title V Operating Permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 48-00004B is for the use of generic engineered fuel (EF) at the facility. The EF would be used

to offset traditional fuels used in the kiln system. The company is proposing to construct two (2) EF receiving, dosing, and conveying systems at the facility. ESSROC is proposing to use up to 100,000 tons per year (11.4 tph) of engineered fuel at the facility. Engineered fuel is a non-hazardous alternate processed fuel derived from the processing and blending of a variety of recycled materials. Engineered fuel contains high BTU values & can be beneficially used for heat and energy recovery in kiln system. The use of alternate non-hazardous secondary material (NHSM) in cement kilns is an environmental benefit as the materials will be beneficially re-used, reducing land disposal. The use of engineered fuel will displace the use of traditional fuels, such as coal and fuel oil. One (1) EF receiving, dosing, and conveying systems will be constructed for each firing location. The company initially proposes to install a single dosing system which will have the flexibility to connect to either the kiln main burner, or the pneumatic piping for Calciner firing. The second EF system would be constructed after the initial EF system is validated. Each system will be identical in design.

No emissions are expected to increase due to this project from the facility.

A review of the information submitted by the company indicates that the proposed project will meet all applicable state and federal air quality requirements. Based upon these findings, DEP plans to approve the application and issue a permit for the facility.

In order to assure compliance with the applicable standards, DEP will place conditions in the plan approval. 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 DEP Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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 the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed revised permit No. 48-00004B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit is required.

A public hearing may be held, if the DEP, 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 Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2531 within 30 days after publication date.

**35-00007A: Pennsylvania Department of Public Welfare/Clarks Summit State Hospital** (1451 Hillside Drive, Clarks Summit, PA 18411) to operate a new natural gas/ No. 2 oil boiler and to voluntary limit coal usage to no more than 10% of their annual capacity on

the two (2) existing coal boilers at their facility in Newton Township, **Lackawanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Pennsylvania Department of Public Welfare/Clarks Summit State Hospital (1451 Hillside Drive, Clarks Summit, PA 18411) to operate a new natural gas/ No. 2 oil boiler at their facility in Newton Township, Lackawanna County. Also the two (2) existing coal boilers will voluntarily limit coal usage to no more than 10% of their annual capacity to comply with 40 CFR 63 Subpart JJJJJJ. The facility currently operates under Title V Operating Permit No. 35-00007. Plan approval 35-00007A will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Plan Approval No. 35-00007A will also 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, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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 the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 35-00007A 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 Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

**40-00020A: Pennsylvania Department of Public Welfare/White Haven Center** (827 Oley Valley Road, White Haven, PA 18661) to operate the three (3) existing coal boilers with a voluntary limit on coal usage to no more than 10% of their annual capacity to comply with 40 CFR 63 Subpart JJJJJJ at their facility in Foster Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Pennsylvania Department of Public Welfare/White Haven Center (827 Oley Valley Road, White Haven, PA 18661) to operate the three (3) existing coal boilers with a voluntary limit on coal usage to no more than 10% of their annual capacity to comply with 40 CFR 63 Subpart JJJJJJ at their facility in Foster Township, Luzerne County. The facility currently operates under Title V Operating Permit No. 40-00020. Plan approval 40-00020A will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.



Plan Approval No. 40-00020A will also 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, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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 the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00020A 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 Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**01-05003B: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314) for the modification of the Source ID 036 combustion turbine's annual PM<sub>10</sub> and PM<sub>2.5</sub> emission limits of 1.4 TPY each that were established in Plan Approval No. 01-05003A to 5.2 TPY each at the Gettysburg Compressor Station located in Straban Township, **Adams County**. The maximum expected increases in facility emissions as a result of the changes proposed are: 3.8 TPY PM<sub>10</sub> and 3.8 TPY PM<sub>2.5</sub>. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12; 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines (Source ID 036 combustion turbine); and 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Source ID G02 emergency internal combustion engine). Based on these findings, the Department proposes to issue a plan approval for the proposed modification. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be

incorporated into a Title V Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450(a)(5).

**28-05003B: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314) for the modification of the Source ID 036 combustion turbine's annual PM<sub>10</sub> and PM<sub>2.5</sub> emission limits of 1.4 TPY each that were established in Plan Approval No. 28-05003A to 4.5 TPY each at the Greencastle Compressor Station located in Montgomery Township, **Franklin County**. The maximum expected increases in facility emissions as a result of the changes proposed are: 3.1 TPY PM<sub>10</sub> and 3.1 TPY PM<sub>2.5</sub>. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12; 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines (Source ID 036 combustion turbine); and 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Source ID G02 emergency internal combustion engine). Based on these findings, the Department proposes to issue a plan approval for the proposed modification. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into a Title V Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450(a)(5).

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

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

**17-00069A: The Pennsylvania State University** (3641 McGeorge Road, Clearfield, PA 16830) has submitted a plan approval application to the PA Department of Environmental Protection (DEP) for the installation of a diesel oxidation catalyst on the generator engine located at their WPSU transmitter facility in Lawrence Township, **Clearfield County**. The catalyst installation project will allow non-emergency operation of the engine. The generator engine is considered an affected source in the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines as codified in 40 CFR Part 63 Subpart ZZZZ.

PA DEP reviewed the plan approval application and supplementary information submitted by the WPSU transmitter facility. The information shows the catalyst installation project will comply with the applicable carbon monoxide (CO) emission limitation pertaining to the engine, after project completion, as well as the associated initial and continuous compliance requirements specified in 40 CFR Part 63 Subpart ZZZZ. The facility proposed to comply with the minimum CO reduction efficiency. The plan approval includes emission restriction condition which requires the catalyst removes at least 70% of CO from the engine at all times of engine operation except periods of startup, as required by Subpart ZZZZ. The testing condition includes the applicable performance testing from Subpart ZZZZ, to demonstrate initial compliance with the CO emission limitation. The initial performance stack testing is required to be performed no later

than 180 days after catalyst installation is completed. The monitoring conditions include the applicable catalyst inlet temperature and pressure drop monitoring, as required in Subpart ZZZZ. Plan approval work practice conditions require the catalyst inlet temperature maintained within the range of 450 degrees Fahrenheit (F) and 1,350F and the pressure drop across the catalyst maintained at the level recorded during the initial performance stack test plus or minus 2" of water. The plan approval requires recordkeeping of the operating parameters and includes the applicable compliance reporting, as required in Subpart ZZZZ. If the Department determines the plan approval terms and conditions have been satisfied, the facility will be required to obtain an operating permit for their source pursuant to 25 Pa. Code § 127.443. Based on these findings, the Department intends to issue a plan approval for the proposed catalyst installation project at the WPSU transmitter facility. The generator engine at the WPSU transmitter facility has estimated potential to emit levels as follows; 0.1 tpy of particulate matter, 0.2 tpy of sulfur oxides, 0.04 tpy of CO, 2.1 tpy of NO<sub>x</sub>, and 0.01 of volatile organic compounds.

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.

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

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

**42-004J: American Refining Group** (77 North Kendall Avenue, Bradford, PA 16701), for the construction of a new multi-fuel-fired boiler which will replace an existing coal-fired boiler in **Bradford City**, McKean County. This is a Title V 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 facility operating permit at a later date.

Plan approval No 42-004J is for the proposed construction of a multi-fuel-fired boiler that will replace an existing coal-fired boiler (Source 037—Boiler 5). This project will result in emissions of 7.56 tpy of PM<sub>10</sub>, 7.56 tpy of PM<sub>2.5</sub>, 2.11 tpy of SO<sub>x</sub>, 27.21 tpy of NO<sub>x</sub>, 3.02 tpy of VOC, 30.23 tpy of CO, and 119,968.4 tpy of CO<sub>2</sub>(e). The Crude Heater maybe affected by the construction of Boiler 6 due to the facility may alter the fuel mix at the Crude Unit Heater (substituting heavy liquid fuel for RFG to allow Boiler 6 to use RFG). This will result in an emission increase of 1.78 tpy of CO. This Plan Approval will contain emission restriction, testing, 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 Best Available Technology (BAT) for the source including, but are not limited to, the following:

#### Boiler 6

- The boiler emissions shall not exceed the following:
- VOC: 0.69 #/hr

- VOC: 3.02 tpy based on a 12-month rolling total
- NO<sub>x</sub>: 6.21 #/hr
- NO<sub>x</sub>: 27.21 tpy based on a 12-month rolling total
- CO: 6.9 #/hr
- CO: 30.23 tpy based on a 12-month rolling total
- Subject to 40 CFR 60 Subpart Ja
- Subject to 40 CFR 60 Subpart Db
- Subject to 40 CFR 63 Subpart DDDDD
- The source shall only combust natural gas or refinery gas.
- Shall stack test for NO<sub>x</sub>, VOC, and CO initially and at operating permit renewal.

#### Crude Heater

- The projected actual emissions will be:
- VOC: 0.18 tpy based on a 12-month rolling total
- NO<sub>x</sub>: 19.16 tpy based on a 12-month rolling total
- [The projected actual emissions are not considered enforceable limits. The facility is not subject to the requirements of 40 CFR 52.21(r)(6) because the project does not meet the definition of "reasonable possibility" under 40 CFR 52.21(r)(6)(vi). The facility is not subject to 25 Pa. Code § 127.203a(a)(5)(iii)(B) because the projected actual emissions did not exceed the baseline actual emissions.]
- All conditions from the facility operating permit revised on July 2, 2014, for this source remain in effect unless modified in this plan approval.

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 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (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 [42-004J] 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.**

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

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

**59-00004: Ward Manufacturing, LLC** (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009) has submitted an application to the Pennsylvania Department of Environmental Protection (Department) for the significant modification to the Title V operating permit 59-00004 to incorporate the terms and conditions contained in the previously issued Plan Approval 59-00004H. The proposed significant modification authorizes the operation of a metal castings shot blast machine, the air contaminant emissions from which are controlled by a cartridge collector, at their facility located in Blossburg Borough, **Tioga County**.

Ward Manufacturing, LLC has demonstrated compliance with all applicable air quality regulatory requirements pertaining to the operation of all air contamination sources and the emission of air contaminants authorized by the previously issued plan approval. Based on these findings, the Department intends to modify the Title V operating permit TVOP 59-00004 in order to authorize the continued operation of the metal castings shot blast machine.

The following is a summary of the conditions contained in the previously issued plan approval the Department proposes to place in the Title V operating permit to be issued to ensure compliance with all applicable air quality regulatory requirements: The air contaminant emissions from the Metcast model M-14D metal castings shot blast machine shall be controlled by an existing Farr Tenkay model 32D cartridge collector. The cartridge collector shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis. This instrumentation is to be maintained in operable condition at all times. The permittee shall keep on hand a sufficient quantity of spare cartridges for the cartridge collector in order to be able to immediately replace any cartridges requiring replacement due to deterioration resulting from routine operation of the shot blast machine.

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.

#### **Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**15-00148: Sikorsky Global Helicopters, Inc.** (110 E. Stewart Huston Drive, Coatesville, PA 19320) for operating a helicopter manufacturing plant in Sadsbury Township, **Chester County**. This is an initial State-only operating permit that includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable Federal and state air quality regulations.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00042: Molded Acoustical Products of Easton, Inc.** (3 Danforth Drive, Easton, PA 18045-7821) for the operation of unlaminated plastics profile shape manufacturing facility in Palmer Township, **Northampton County**. The sources consist of fiberglass molding presses with the emissions controlled by two (2) scrubbers. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**48-00073: Haines & Kibblehouse, Inc.,** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) The Department intends to issue a renewal State Only operating permit for the Stockertown Materials Plant in the Borough of Stockertown, **Northampton County**. The State Only operating permit includes emissions, monitoring, record keeping, reporting, testing and any additional conditions designed to ensure compliance with all applicable Federal and State air pollution control requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-05079: United Corrstack, LLC** (720 Laurel Street, Reading, PA 19602) to renew a State Only Operating Permit for their roll stock paper facility in the City of Reading, **Berks County**. The actual emissions from the facility in 2013 are estimated at 14 tpy of CO, 59 tpy of NO<sub>x</sub>, 8 tpy of SO<sub>x</sub>, 40 tpy of PM<sub>10</sub> and 3 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. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.63, 40 CFR 60 Subpart Dc, 40 CFR 60 Subpart Db, 40 CFR 60 Subpart IIII, 40 CFR 63 Subpart JJJJJ and 40 CFR 63 Subpart ZZZZ.

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

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

**16-00003: PA State System of Higher Education, Clarion State University** (840 Wood Street, Clarion, PA 16214-1240) for the re-issuance of a Natural Minor Operating Permit to operate the boiler plant at the university, in Clarion Borough, **Clarion County**. The facility's primary emission sources include three (3) Boilers and various Emergency Power Generators located throughout the property.

One of the emergency power generators at this facility was installed in February 2011 and is subject to the requirements of 40 CFR 60—Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The applicable requirements from that subpart have been attached to Source ID: 103—Emergency Power Generator (Rec. Hall).

The emissions of criteria pollutants from this facility are below major source levels. The potential emissions from this facility are as follows. (All values are in tons/year.)  $PM_{10}$  (total) = 1.0,  $PM_{2.5}$  (total) = 0.78, PM (condensable) = 2.25,  $SO_x$  = 0.35,  $NO_x$  = 25.39, CO = 29.16, VOC = 2.12, Ammonia = 0.16, Formaldehyde = 0.10, Hexane = 0.58, Total HAPS = 0.68, Methane = 3.43,  $N_2O$  = 0.35,  $CO_2$  = 38,712, and  $CO_2e$  = 38,912.

**24-00145, Amphenol Thermometrics, Inc.** (967 Windfall Road, St. Marys, PA 15857) for a Synthetic Minor Operating Permit issuance to operate an electronic resistor manufacturing facility, located in the City of St. Marys, **Elk County**.

Source ID: 2001—Emergency Generator #1 is 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 version of that subpart has been attached to this sources.

The potential emissions from this facility are as follows. (All values are in tons/year.) VOC = 49.0, any single HAP = 9.9, and combined total HAPs = 24.9. (Based on synthetic minor limits) Emissions of all other criteria pollutants are well below major source thresholds.

**37-00307: PSC Metals Inc. / New Castle Plant** (P. O. Box 310, Slippery Rock, PA, 16057-0310) The Department intends to re-issue the Natural Minor Operating Permit for this scrap metal processing facility located at 214 Gardner Avenue, New Castle City, **Lawrence County**.

The emissions of criteria pollutants from this facility are below major source levels. The potential emissions from this facility are as follows. (All values are in tons/year.)  $PM_{10}$  (total) = 10.0,  $PM_{2.5}$  (total) = 10.0,  $SO_x$  = 0.1,  $NO_x$  = 0.1, CO = 2.0, VOC = 0.1, and Total HAPS = 0.25.

## 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 appli-

cable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

### Coal Applications Received

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

**30743711 and NPDES No. PA0033511. Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley, Greene and Monongahela Townships, **Greene County** and related NPDES permit to add 229.6 acres to install the Monongahela River discharge pipeline from Kirby, PA near the Cumberland Mine Coal Refuse Disposal Facility in Kirby, PA to the Alicia Harbor Site in Alicia, Pennsylvania. The subsurface pipeline will be approximately 14 miles long and carry mine water treated effluent for discharge to the Monongahela River via permitted Outfall 001. Coal Refuse Disposal Support Acres Proposed 229.6. The application was considered administratively complete on March 3, 2015. Application received: January 30, 2015.

**32051301 and NPDES No. PA0215228. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Barrett Deep Mine in Buffington Township, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to



Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**33901602 and NPDES No. PA0214604. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Brockway Tipple in Snyder Township, **Jefferson County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**32850701 and NPDES No. PA0213683. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**32841602 and NPDES No. PA0092631. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Clymer Tipple in Cherryhill Township, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**11051301 and NPDES No. PA0235652. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Cresson Mine in Cresson Township, **Cambria County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**33971301 and NPDES No. PA0215031. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Dora No. 8 Mine in Perry Township, **Jefferson County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**32011302 and NPDES No. PA0235521 Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Gillhouser Run Deep Mine in Buffington and Brush Valley Townships, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**11031301 and NPDES No. PA0235539. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Madison Mine in Jackson Township, **Cambria County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**32991301 and NPDES No. PA0215228. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Nolo Deep Mine in Buffington, Cherryhill and Pine Townships, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No

additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**32961302 and NPDES No. PA0214949. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Ondo Mine in Brush Valley Township, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**32011301 and NPDES No. PA0235636. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Palmerton Mine in Burrell Township, **Indiana County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**11841603 and NPDES No. PA0235377. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Portage Plant in Portage Township, **Cambria County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**11040701 and NPDES No. PA0235717. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Refuse Area No. 1 in Portage Township, **Cambria County** and related NPDES permit from AMFIRE Mining Company LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

**03971301 and NPDES No. PA0215091. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the reclamation only permit for the Ridge Mine in South Bend Township, **Armstrong County** and Young Township, **Indiana County** from AMFIRE Mining Company LLC to Rosebud Mining Company. No discharges. The application was considered administratively complete on March 4, 2015. Application received: December 31, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 32990104 and NPDES No. PA0235059. ABM Mining Co., Inc.**, 3330 Johnston Road, Smicksburg, PA 16256, renewal for the continued operation and restoration of a bituminous surface and auger mine in Grant Township, **Indiana County**, affecting 118.7 acres. Receiving streams: unnamed tributaries to Little Mahoning Creek classified for the following use: high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 25, 2015.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**03130103 and NPDES Permit No. PA0278114. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Application for commencement, operation and restoration of bituminous surface mine, located in Kiskiminetas Township, **Armstrong County**, affecting 41.3 acres. Receiving streams: Carahan Run and unnamed tributaries to Carnahan Run, classified for the following use: WWF. There is no potable water supply

intake within 10 miles downstream from the point of discharge. Application received: February 13, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 54040202R2. Frederick Consulting**, (PO Box 524, Minersville, PA 17954), renewal of an existing anthracite coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 30.0 acres, receiving stream: unnamed tributary to West Creek, classified for the following use: cold water fishes. Application received: February 13, 2015.

#### *Noncoal Applications Received*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 29150801. TMS Excavating, LLC**, 226 Reservoir Road, McConnellsburg, PA 17233, commencement, operation and restoration of a small noncoal operation in Ayr Township, **Fulton County** affecting 1.0 acre. Receiving streams: unnamed intermittent stream to Kendall Run to Big Cove Creek. Application received: February 9, 2015.

**Permit No. 21140301 and NPDES No. PA0594296. Hempt Bros., Inc.**, 205 Creek Road, P.O. Box 278, Camp Hill, PA 17001, commencement, operation and restoration of a large noncoal (industrial minerals) operation in Silver Spring Township, **Cumberland County** affecting 196.2 acres. Receiving stream: unnamed tributary to Hogestown Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 18, 2015.

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

**42040301. Duffy, Inc.** (P.O. Box 374, Smethport, PA 16849-0374) Revision to an existing large industrial minerals mine to lower the final pit floor elevation in Liberty Township, **McKean County**, affecting 33.6 acres. Receiving streams: Allegheny River, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 19, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 45000801. Elmer F. Possinger & Sons**, (PO Box 520, Bartonsville, PA 18321), Stage I & II bond release of a quarry operation in Hamilton Township, **Monroe County** affecting 1.0 acre on the property of Nyles & Kitty Possinger. Application received: February 13, 2015.

**Permit No. 58040854. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801-9255), Stage I & II bond release of a quarry operation in Bridgewater Town-

ship, **Susquehanna County** affecting 3.0 acres on the property of John Castrogiovanni. Application received: February 19, 2015.

**Permit No. 58110806. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801-9255), Stage I & II bond release of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 2.0 acres on the property of John Castrogiovanni. Application received: February 19, 2015.

**Permit No. 38970301C4 and NPDES Permit No. PA0224448. Haines & Kibblehouse, Inc.**, (PO Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Cornwall Borough, **Lebanon County** affecting 194.14 acres, receiving stream: unnamed tributary to Snitz Creek, classified for the following use: trout stock fishes. Application received: February 19, 2015

**Permit No. 8073SM4 and NPDES Permit No. PA0594849. Reading Materials, Inc.**, (PO Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Pottsgrove Township, **Montgomery County** affecting 37.45 acres, receiving stream: Sanatoga Creek, classified for the following use: warm water fishes. Application received: February 19, 2015.

**Permit No. 58110807. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801-9255), Stage I & II bond release of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres on the property of John Castrogiovanni. Application received: February 23, 2015.

#### **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.



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 limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

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 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. 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*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**NPDES No. PA0606201 (Mining Permit No. 56753119), Jenners, Inc.,** P. O. Box 171 Shelocta, PA 15774, renewal of an NPDES permit for discharge of water resulting from surface coal mining in Jenner Township, **Somerset County**, affecting 485.6 acres. Receiving streams: Quemahoning Creek & Hoffman Run, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 2, 2014.

The outfalls listed below discharge to Quemahoning Creek & Hoffman Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (T-1)	N
012 (S-9)	N
013 (S-10)	N
021 (S-18)	N

The proposed effluent limits for the above listed outfalls are as follows:

*Outfalls: 001, 012, 013, & 021*

*(All Weather Conditions)*

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	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. PA0279323 (Mining Permit No. 11130105), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, new NPDES permit for a surface coal mining operation in West and East Carroll Townships, **Cambria County**, affecting 133.6 acres. Receiving streams: unnamed tributary to West Branch Susquehanna River classified for the following use: cold water fishery. This receiving stream is included in the West Branch Susquehanna River TMDL. Application received: August 8, 2014.

The outfalls listed below discharge to an unnamed tributary to West Branch Susquehanna River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond A	Y
002—Sediment Pond B	Y
003—Treatment Pond 1	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfall: 003—Treatment Pond 1</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)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

*Outfalls: 001 and 002—Group B Limits*  
*(less than or equal to 10yr—24hr storm event)*  
*Sediment Ponds A and B*

<i>Parameter</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)			7.0
Settleable Solids (ml/l)			0.5ml/l
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Group A Limits apply to Outfalls 001 and 002 if discharges occur during dry weather in accordance with Chapter 87.102.

**NPDES No. PA0269107 (Mining Permit No. 32120104), ABM Mining Company, Inc.**, 3330 Johnston Road Smicksburg, PA 16256, revision of an NPDES permit for surface coal mining in Grant Township, **Somerset County**, affecting 41.6 acres. Receiving streams: unnamed tributaries to/and Rairigh Run and unnamed tributary to Little Mahoning Creek, classified for the following use: High Quality—Cold Water Fishery. Application received: February 17, 2015.

The outfalls listed below require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TF-1)	N
002 (TF-2)	N
003 (SP-1)	N
004 (SP-2)	N
005 (SP-3)	N
006 (SP-4)	Y

There is no proposed point source discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration galleries. The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event.

The proposed effluent limits for the water entering the infiltration galleries are as follows:

<i>Outfalls: 001—006</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
Manganese (mg/l)	N/A	N/A	5.0
Aluminum (mg/l)	N/A	N/A	5.0
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			

The proposed effluent limits for the emergency spillways are as follows:

<i>Outfalls: 003—006</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</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			

**NPDES No. PA0269158 (Mining Permit No. 56120114), Rosebud Mining Company**, 1117 Saw Mines Road, Meyersdale, PA 15552-7228, new NPDES permit for surface mining in Summit and Elk Lick Townships, **Somerset County**, affecting 353.0 acres. Receiving streams: unnamed tributaries to/and Casselman River classified for the following use: warm water fishery. This receiving stream is included in the Casselman River TMDL. Application received: October 15, 2012.

The outfalls listed below discharge to unnamed tributaries to/and Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
TF-1	Y
TF-4	Y
SP-4	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: TF-1, TF-4 &amp; SP-4</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
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			

The outfalls listed below discharge to unnamed tributaries to/and Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
TF-2	N
TF-5	Y
SP-1, 2, 5 & 6	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: TF-2, TF-5 &amp; SP-1, 2, 5 &amp; 6</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</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)	1.0	2.0	2.5
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			

The outfalls listed below discharge to unnamed tributaries to/and Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
TF-3	N
SP-3	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: TF-3 &amp; SP-3</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</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)	1.5	3.0	3.9
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			

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

**NPDES No. PA 0611034 (Mining Permit No. 17714022), A. W. Long Coal Company**, 127 Logan Street, Philipsburg, PA 16866, renewal of an NPDES permit for coal surface mining in Morris Township, **Clearfield County** affecting 149.6 acres. Receiving stream(s): Unnamed Tributaries to Moshannon Creek and Moshannon Creek, classified for the following use(s) CWF. Moshannon Creek TMDL. Application received: September 2, 2014.

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 outfall(s) listed below discharge to Moshannon Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
002	N
003	N
005	N
009	N
010	N

The outfalls listed below discharge to Unnamed Tributaries to Moshannon Creek.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
006	N
007	N
008	N
011	N
012	N
013	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.9	3.8	4.75
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				

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

#### *Noncoal NPDES Draft Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**NPDES Permit No. PA0225517 on Surface Mining Permit No. 64142802. Robert A. Coleman**, (P. O. Box 3, Susquehanna, PA 18847), new NPDES Permit for a bluestone quarry operation in Scott Township, **Wayne County**, affecting 3.0 acres. Receiving stream: unnamed tributary to Balls Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: August 15, 2014. Non-discharge BMP's shall be in effect.

## **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.*

**E52-246. PPL Electric Utilities**, 2 North 9th Street, Allentown, PA 18101, in Blooming Grove Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 20-foot wide road crossing of Notch Brook (EV, MF), consisting of a 36-inch diameter reinforced concrete pipe and concrete headwalls, for the purpose of providing access to the PPL Susquehanna Roseland 500kV Transmission Line. The project is located on the west side of State Route 402 approximately 3.9 miles south of the intersection with Interstate 84 (Promised Land, PA Quadrangle Latitude: 41° 19' 2"; Longitude: -75° 7' 55") in Blooming Grove Township, Pike County. (Promised Land, PA Quadrangle, Latitude: 41°19'2"; Longitude: -75°7'55").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E22-609: Derry Township**, 600 Clearwater Road, Hershey, PA 17033 in Derry Township **Dauphin County**, U.S. Army Corps of Engineers Baltimore District

To install and maintain a 120.0-foot long by 50-foot 8 inch wide bridge over Spring Creek (WWF, MF). The project includes 2,577 cubic yards of fill within the floodway and floodplain of Spring Creek. No wetlands will be impacted by this project.

**E22-610: Susquehanna Township**, 1900 Linglestown Road, Harrisburg, Pennsylvania, 17110 in Susquehanna Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District

To remove an existing structure and to 1.) install and maintain a 12.6-foot long, 12.0-inch diameter corrugated plastic pipe with R-3 rip rap scour protection in an unnamed tributary to Asylum Run (WWF, MF); and 2.) place and maintain 60 cubic yards of fill in the floodway of Asylum Run (WWF, MF), for the purpose of making the existing trail consistent with ADA requirements. The project is located along Andrea Drive approximately 150 feet west of its intersection with Lawrence Drive (Latitude: 40° 17' 30.7"N, Longitude: 76° 51' 15.8"W) in Susquehanna Township, Dauphin County. No wetlands will be impacted by this project.

**EA36-037: Donegal Chapter of Trout Unlimited**, PO Box 8001, 17604 in Fulton Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District

To construct a stream restoration project including: 1.) the relocation and maintenance of 1,464 feet of Conowingo Creek (CWF, MF) permanently impacting 0.01 acre of palustrine emergent wetlands; 2.) the relocation and maintenance of 44 feet of an unnamed tributary to Conowingo Creek (HQ-CWF, MF); 3.) the installation and maintenance of four (4) cross rock vanes; 4.) the installation and maintenance of five (5) rock deflectors; 5.) the construction and maintenance of a total of 1,497 feet of stacked stone wall; 6.) the installation and maintenance of six (6) root wads; and 7.) the installation and maintenance of six (6) boulder cells, all for the purpose of providing wildlife habitat and enhancing water quality in Conowingo Creek. The project is located immediately north of Black Barren Road, approximately 0.40 mile east of its intersection with Happy Hollow Road (Latitude: 39° 44' 47.65"N; Longitude: 76° 10' 23.58"W) in Fulton Township, Lancaster County. Wetland impacts are de minimis and replacement is not required.

**E36-933: Transcontinental Gas Pipe Line Company, LLC**, 2800 Post Oak Boulevard, Houston, Texas, 77056 in Drumore and Fulton Townships, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District

To install and maintain the following:

<i>Description of Impact</i>	<i>Resource Name (Chapter 93 Designation)</i>	<i>Impact Dimensions (Length x Width) (Feet)</i>		<i>Permanent Impact Area (acres)</i>	<i>Temporary Impact Area (acres)</i>	<i>Latitude</i>	<i>Longitude</i>
20.0-inch steel natural gas utility line stream crossing	Unnamed tributary to Fishing Creek (EV, MF)	40 (Permanent)	3 (Permanent)	0.003	0.002	39° 48' 39"	-76° 14' 31"
		35 (Temporary)	3 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of unnamed tributary to Fishing Creek	40 (Permanent)	125 (Permanent)	0.15	0.20	39° 48' 39"	-76° 14' 31"
		74 (Temporary)	125 (Temporary)				
20.0-inch steel natural gas utility line stream crossing	Fishing Creek (EV, MF)	40 (Permanent)	25 (Permanent)	0.03	0.04	39° 48' 23"	-76° 14' 27"
		63 (Temporary)	25 (Temporary)				

<i>Description of Impact</i>	<i>Resource Name (Chapter 93 Designation)</i>	<i>Impact Dimensions (Length x Width) (Feet)</i>		<i>Permanent Impact Area (acres)</i>	<i>Temporary Impact Area (acres)</i>	<i>Latitude</i>	<i>Longitude</i>
20.0-inch steel natural gas utility line floodway crossing	Floodway of Fishing Creek	40 (Permanent)	107 (Permanent)	0.05	0.10	39° 48' 23"	-76° 14' 27"
		55 (Temporary)	107 (Temporary)				
Temporary access road floodway crossing	Floodway of unnamed tributary to Fishing Creek	0 (Permanent)	0 (Permanent)	0.00	0.01	39° 48' 22"	-76° 14' 24"
		20 (Temporary)	18 (Temporary)				
20.0-inch steel natural gas utility line stream crossing	Unnamed tributary to Susquehanna River (HQ-CWF, MF)	40 (Permanent)	5 (Permanent)	0.01	0.01	39° 47' 02"	-76° 14' 11"
		58 (Temporary)	5 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of unnamed tributary to Susquehanna River	40 (Permanent)	48 (Permanent)	0.05	0.10	39° 47' 02"	-76° 14' 11"
		55 (Temporary)	48 (Temporary)				
20.0-inch steel natural gas utility line wetland crossing	PEM wetland (EV)	10 (Permanent)	53 (Permanent)	0.01	0.11	39° 47' 02"	-76° 14' 11"
		85 (Temporary)	53 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of unnamed tributary to Susquehanna River	0 (Permanent)	0 (Permanent)	0.00	0.05	39° 47' 01"	-76° 14' 10"
		26 (Temporary)	77 (Temporary)				
Temporary access road floodway crossing	Floodway of unnamed tributary to Susquehanna River	0 (Permanent)	0 (Permanent)	0.00	0.04	39° 47' 01"	-76° 14' 10"
		20 (Temporary)	79 (Temporary)				
20.0-inch steel natural gas utility line stream crossing	Peters Creek (HQ-WWF, MF)	40 (Permanent)	30 (Permanent)	0.03	0.04	39° 46' 11"	-76° 12' 54"
		56 (Temporary)	30 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of Peters Creek	40 (Permanent)	100 (Permanent)	0.08	0.14	39° 46' 11"	-76° 12' 54"
		55 (Temporary)	100 (Temporary)				
20.0-inch steel natural gas utility line stream crossing	Puddle Duck Creek (HQ-WWF, MF)	40 (Permanent)	15 (Permanent)	0.01	0.03	39° 45' 27"	-76° 12' 27"
		66 (Temporary)	15 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of Puddle Duck Creek	40 (Permanent)	108 (Permanent)	0.09	0.20	39° 45' 27"	-76° 12' 27"
		55 (Temporary)	108 (Temporary)				
20.0-inch steel natural gas utility line wetland crossing	PEM wetland (EV)	10 (Permanent)	4 (Permanent)	0.001	0.02	39° 45' 26"	-76° 12' 27"
		122 (Temporary)	4 (Temporary)				

<i>Description of Impact</i>	<i>Resource Name (Chapter 93 Designation)</i>	<i>Impact Dimensions (Length x Width) (Feet)</i>		<i>Permanent Impact Area (acres)</i>	<i>Temporary Impact Area (acres)</i>	<i>Latitude</i>	<i>Longitude</i>
20.0-inch steel natural gas utility line stream crossing	Unnamed tributary to Puddle Duck Creek (HQ-WWF, MF)	40 (Permanent)	4 (Permanent)	0.004	0.01	39° 44' 48"	-76° 12' 11"
		101 (Temporary)	4 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of unnamed tributary to Puddle Duck Creek	40 (Permanent)	114 (Permanent)	0.09	0.23	39° 44' 48"	-76° 12' 11"
		55 (Temporary)	114 (Temporary)				
Temporary access road floodway crossing	Floodway of unnamed tributary to Conowingo Creek	0 (Permanent)	0 (Permanent)	0.00	0.05	39° 43' 55"	-76° 11' 33"
		20 (Temporary)	107 (Temporary)				
20.0-inch steel natural gas utility line stream crossing	Unnamed tributary to Conowingo Creek (HQ-CWF, MF)	40 (Permanent)	3 (Permanent)	0.002	0.01	39° 43' 47"	-76° 11' 46"
		106 (Temporary)	3 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of unnamed tributary to Conowingo Creek	40 (Permanent)	185 (Permanent)	0.15	0.15	39° 43' 47"	-76° 11' 46"
		55 (Temporary)	185 (Temporary)				
20.0-inch steel natural gas utility line wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.07	39° 43' 46"	-76° 11' 46"
		27 (Temporary)	49 (Temporary)				
20.0-inch steel natural gas utility line wetland crossing	PFO wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.02	39° 43' 29"	-76° 11' 29"
		36 (Temporary)	18 (Temporary)				
20.0-inch steel natural gas utility line stream crossing	Unnamed tributary to Conowingo Creek (HQ-CWF, MF)	40 (Permanent)	3 (Permanent)	0.01	0.01	39° 43' 29"	-76° 11' 28"
		80 (Temporary)	3 (Temporary)				
20.0-inch steel natural gas utility line floodway crossing	Floodway of unnamed tributary to Conowingo Creek	40 (Permanent)	126 (Permanent)	0.12	0.18	39° 43' 29"	-76° 11' 28"
		55 (Temporary)	126 (Temporary)				
Temporary access road stream crossing	Unnamed tributary to Conowingo Creek (HQ-CWF, MF)	0 (Permanent)	0 (Permanent)	0.00	0.002	39° 43' 29"	-76° 11' 28"
		20 (Temporary)	3 (Temporary)				
Temporary access road floodway crossing	Floodway of unnamed tributary to Conowingo Creek	0 (Permanent)	0 (Permanent)	0.00	0.05	39° 43' 29"	-76° 11' 28"
		20 (Temporary)	112 (Temporary)				
Temporary access road wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.0005	39° 43' 26"	-76° 11' 11"
		4 (Temporary)	5 (Temporary)				

<i>Description of Impact</i>	<i>Resource Name (Chapter 93 Designation)</i>	<i>Impact Dimensions (Length x Width) (Feet)</i>		<i>Permanent Impact Area (acres)</i>	<i>Temporary Impact Area (acres)</i>	<i>Latitude</i>	<i>Longitude</i>
Temporary access road wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.03	39° 43' 32"	76° 11' 10"
		20	56				
Temporary access road wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.01	39° 43' 33"	76° 11' 10"
		20	21				
Temporary access road wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.01	39° 43' 34"	76° 11' 10"
		20	30				
Temporary access road floodway crossing	Floodway of Conowingo Creek	0 (Permanent)	0 (Permanent)	0.00	0.05	39° 43' 31"	76° 11' 10"
		20	114				
20.0-inch steel natural gas utility line wetland crossing	PFO wetland (EV)	30 (Permanent)	268 (Permanent)	0.19	0.76	39° 43' 19"	76° 10' 58"
		30	129				
20.0-inch steel natural gas utility line wetland crossing	PSS wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.55	39° 43' 17"	76° 10' 58"
		133	147				
20.0-inch steel natural gas utility line stream crossing	Conowingo Creek (CWF, MF)	40 (Permanent)	49 (Permanent)	0.04	0.64	39° 43' 18"	76° 10' 55"
		649	49				
20.0-inch steel natural gas utility line floodway crossing	Floodway of Conowingo Creek	40 (Permanent)	116 (Permanent)	0.44	1.11	39° 43' 18"	76° 10' 55"
		649	116				
20.0-inch steel natural gas utility line wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.08	39° 43' 16"	76° 10' 56"
		92	31				
20.0-inch steel natural gas utility line wetland crossing	PFO wetland (EV)	30 (Permanent)	100 (Permanent)	0.06	0.32	39° 43' 17"	76° 10' 54"
		104	100				
Temporary access road wetland crossing	PEM wetland (EV)	0 (Permanent)	0 (Permanent)	0.00	0.01	39° 43' 16"	76° 10' 56"
		20	20				

The purpose of the project is to provide natural gas services for a proposed upgrade to the existing Wildcat Point electric generating facility located in Cecil County, Maryland. The project proposes to permanently impact 418.41 linear feet of stream channel, 1.26 acre of floodway, and 0.26 acre of wetlands. 0.37 acre of PFO wetland creation, 0.1 acre of PEM wetland creation and 0.13 acre of wetland enhancement, temporarily impacting 0.13 acre of PEM wetlands are proposed at 39° 49' 12.9"N/76° 09' 31.4"W. Peters Creek, Puddle Duck Creek and their unnamed tributaries contain naturally repro-

ducing wild brown trout populations, and instream construction time-of-year restrictions will be implemented to avoid impacts to trout spawning.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E17-489. NRG REMA LLC**, 121 Champion Way, Suite 300, Canonsburg, PA 15317-5817. Shawville Station Cooling Tower Addition Project. West Branch, Susquehanna River Floodway and Flood fringe, Bradford Township,



**Clearfield County.** USACOE Pittsburgh District (LeContes Mills, PA Quadrangle Latitude: 41° 03' 49.29"; Longitude: -78° 22' 10.07").

The applicant is seeking authorization to construct, operate and maintain a cooling tower for the Shawville Station within the 100-year floodway and flood fringe of the West Branch Susquehanna River. Construction, operation and maintenance of the cooling tower and its appurtenances at this power generation facility shall be performed at existing elevations with no placement of fill. The project is located along the western right-of-way of SR 0970 approximately 800-feet south of SR 0879 and SR 0970 intersection. This permit application was submitted under Section 105.13(e) "Small Projects."

**E41-664. Loyalsock Township,** 2501 East Third Street, Williamsport, PA 17701-4007. Riverfront Park Trail Project in Loyalsock Township, **Lycoming County**, ACOE Baltimore District (Montoursville South, PA Quadrangle Lat: 41° 14' 38"; Long: -76° 57' 13").

To construct, operate and maintain a new pedestrian bridge, upgrade of an existing walking trail with bituminous pavement and construct a new bituminous parking area along Greevy Road—Riverfront Park Trail in Loyalsock Township—Lycoming County. All the improvements are located within the floodway/floodplain of West Branch Susquehanna River.

The proposed pedestrian bridge over Bull Run will be a 60 ft. long x 8 ft. wide pre-fabricated pedestrian bridge. The bridge will completely span the stream channel. The proposed walking trail and parking area improvements will be constructed such that the grading associated with the proposed improvements are designed so there is no net increase of fill within the floodway.

The total estimated stream impacts for the project are approximately 480 ft<sup>2</sup> of permanent impacts. The proposed project will not permanently impact wetlands, cultural or archaeological resources, forests recreational areas, landmarks wildlife refuge or historical sites. Susquehanna River and Bull Run are classified with a designated use of Warm Water Fishery (WWF).

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**E02-1706. Bethel Park Municipal Authority,** 3100 Piney Fork Road, South Park, PA 15129; South Park Township, **Allegheny County**; ACOE Pittsburgh District

The applicant is proposing to do the following:

1. construct and maintain a clarifier unit, a bio-retention pond, grade changes, utility lines and future nutrient removal tanks within the floodplain of Piney Fork (TSF) and a de minimus area of wetland (approximately 0.04 acre);

2. construct and maintain an extension of a retaining wall, with riprap protection, along approximately 85' Piney Fork;

3. construct and maintain an outfall structure and approximately 265' of riprap along another reach of Piney Fork; and

4. construct and maintain another outfall structure along 13' of Piney Fork,

for the purpose of expanding and upgrading an existing wastewater treatment plant, which is located at 3100 Piney Fork Road (Glassport, PA USGS Topographic Quadrangle; Latitude: 40° 17' 6.51"; Long: -79° 59' 23.59"), in South Park Township, Allegheny County.

**E02-1707. Kratsa Properties,** 1025 William Pitt Way, Pittsburgh, PA 15238; Harmar Township, **Allegheny County**; ACOE: Pittsburgh District.

The applicant is proposing to place and maintain fill in (0.15 acre) of PEM wetlands in association with the construction of the Shults Ford Harmarville. The project is situated along Gulf Lab Road, approximately 700 linear feet from its intersection with S.R. 910 (USGS New Kensington West, PA topographic quadrangle; Latitude: 40° 32' 27"; Longitude: -79° 50' 18"), in Harmar Township, Allegheny County.

**E30-247. Morris Township,** 1317 Browns Creek Rd, Sycamore, PA 15364; Morris Township, **Greene County**; ACOE Pittsburgh District.

The applicant is proposing to do the following:

1. To construct and maintain a 170 LF stream enclosure of an unnamed tributary of Enlow Fork (AKA Tributary 32758), to grade the floodway along 345 LF of the same unnamed tributary of Enlow Fork (WWF) and to construct and maintain two outfall structures within this same length;

2. To remove an existing 160 LF stream enclosure of a second unnamed tributary of Enlow Fork (AKA Tributary 32753B) and to construct and maintain in its place a 140 LF stream enclosure, with wingwalls and a 15 LF rock apron, and to place and maintain fill in the floodway of 60LF of this second unnamed tributary of Enlow Fork (WWF);

3. To remove an existing 120 LF stream enclosure of a third unnamed tributary of Enlow Fork (AKA Tributary 32753A) and to construct and maintain in its place a 120 LF stream enclosure, with wingwalls and a 20 LF rock apron, place and maintain fill in the floodway of 30 LF of this third unnamed tributary of Enlow Fork (WWF);

4. To construct and maintain a riprap apron within 30 LF of a fourth unnamed tributary of Enlow Fork (AKA Tributary 32758B) (WWF);

5. To place and maintain fill within 36 LF of a fifth unnamed tributary of Enlow Fork (AKA Tributary 32758C-1) (WWF);

6. To directly affect a cumulative total of 0.037 acre of PEM wetland by placing and maintaining fill in 4 PEM wetland areas,

7. To have secondary impacts on 2 wetland areas, having a cumulative impact to 0.044 acre of PEM wetland, in order to relocate three roads (SR 4013, SR 4009, and Power School Road) to provide for Bailey Coal Refuse Disposal Areas. As mitigation, the applicant proposes to restore approximately 973 LF of another Unnamed Tributary of Enlow Fork (AKA Tributary 32753) (WWF), and to create and maintain a minimum of 0.081 acre of PEM wetland. The project is located at the intersection of SR 4013 and SR 4009 (Wind Ridge, PA and Rogersville, PA U.S.G.S. Topographic Quadrangles; N:16.3 inches; W:0.3 inches (Wind Ridge, PA); Latitude: 39° 57' 54.8"; Longitude: -80° 22' 35.2"), in Morris Township, Greene County.

**E65-959-A1. Municipal Authority of Westmoreland County,** 124 Park & Pool Road, New Stanton, PA 15672; New Stanton Borough and Hempfield Township, **Westmoreland County**; ACOE Pittsburgh District.

For the purposes of amending permit E65-959 (which authorized the applicant to construct, operate, and maintain two 48" waterline stream crossings across Belson Run (WWF)), the applicant is proposing to construct, operate, and maintain two 8" sanitary stream crossings

across Belson Run (WWF) to facilitate installing a waterline. As a result of this project, approximately 60 linear feet of stream will be impacted. The project is located 400 feet west of where Center Avenue and Swartz Road intersect (Mount Pleasant, PA Quadrangle N: 13.6 inches; W: 14.5 inches, Latitude: 40° 11' 60"; Longitude: 79° 36' 9"), in New Stanton Borough, Westmoreland County.

**E65-967. Western Westmoreland Municipal Authority**, 12441 Route 993, North Huntingdon, PA 15642; North Huntingdon and Penn Townships; Irwin, Manor, and North Irwin Boroughs, **Westmoreland County**; ACOE Pittsburgh District.

The applicant is proposing to construct and maintain an interceptor replacement project in three phases:

1. to place and maintain fill in and along the floodplain of Brush Creek to provide access to a storage tank and to construct and maintain a new headwall along Brush Creek;

2. to replace and maintain the existing Brush Creek interceptor, with a new utility line, with diameter varying from 18" to 48"; this will require eighteen (18) utility line stream crossings and ten (10) wetland crossings, resulting in 11,586 linear feet of stream impacts and 0.513 acre of wetland impacts;

3. to replace and maintain the Bushy Run, Paintertown, and Manor interceptors; this will require twenty-seven (27) utility line stream crossings and nineteen (19) wetland crossings in Manor Borough, North Huntingdon, and Penn Townships that will be constructed in accordance with the terms and conditions of General Permit No. 5 (GP-5), regarding utility line stream crossings.

These structures will cumulatively affect 16,944 linear feet of watercourses (including the aforementioned

streams) (including Coal Run (TSF), Bushy Run (TSF), and Brush Creek (TSF) and 1.099 acre of wetlands (including the aforementioned wetlands). Mitigation for the impacts to the affected watercourses and wetlands will primarily consist of restoring original grades and revegetating, after construction. The project is located in North Huntingdon and Penn Townships and Irwin, North Irwin, and Manor Boroughs. The project starts where State Route 993 junctions with Sandy Hill Road (Irwin, PA USGS topographic quadrangle N: 15.6 inches; W: 6.4 inches, Latitude: 40° 20' 9"; Longitude: 79° 40' 16") in Manor Borough, Westmoreland County. The project ends approximately 1,000 feet downstream of the footbridge over Brush Creek in the Village of Larimer in North Huntingdon Township, Westmoreland County (Irwin, PA USGS topographic quadrangle N: 17.5 inches; W: 14.6 inches, Latitude: 40° 20' 46"; Longitude: -79° 43' 49").

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E42-08-015, Seneca Resources Corporation**, 51 Zents Boulevard, Brookville, PA 15825-2701. Shawmut Grade Road Realignment (McKean), in Sergeant Township, **McKean County**, Army Corps of Engineers Pittsburgh District (Crosby and Hazel Hurst, PA Quadrangle N: 41° 41' 10.68"; W: -78° 29' 34.69").

The applicant proposes to realign a portion of Shawmut Grade Road that crosses over an abandoned railroad grade. The proposed work plans to realign the roadway approximately 40 feet to the West, filling in wetlands within the former railroad corridor. The water obstructions and encroachments in the McKean County are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	Fill of 0.003 acre of permanent impact to palustrine emergent (PEM) wetland and 0.003 acre of temporary impact for Construction of Shawmut Grade Road and Construction easement for maintenance.	41.68657600 -78.49349900
2	Realignment of Shawmut Grade Road with the installation of two (2) 18" diameter by 125 feet long HDPE pipes and fill resulting in 0.01 acre of temporary impact and 0.02 acre of permanent impacts to palustrine emergent (PEM) wetlands.	41.68630000 -78.49297000
3	Filling of palustrine emergent (PEM) wetlands for the realignment of Shawmut Grade Road resulting in 0.02 acre of permanent impact.	41.68582400 -78.49348400

In McKean County, the project will result in a total of 0.04 acre of permanent wetland impacts from road crossings.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E0829-104: Appalachia Midstream, LLC**, 400 IST Center, Suite 404, 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 1,439 square feet of a Palustrine Emergent Wetland (Overton, PA Quadrangle, Latitude: 41°35'15", Longitude: -76°30'16");

2. a 6 inch diameter natural gas line impacting 150 linear feet of Black Creek (EV, MF) and impacting 5,508 square feet of an adjacent Palustrine Forested and Palustrine Emergent Wetland (EV) (Overton, PA Quadrangle, Latitude: 41°35'21", Longitude: -76°30'03");

The project will result in 150 linear feet or 2,536 square feet of temporary stream impacts and 5,250 square feet (0.12 acre) of temporary PEM and PFO and 1,697 square feet (0.04 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Overton Township, Bradford County.

**E5829-099: Bridgewater Township**, Williams Field Services Company, LLC; Park Place Corporate Center 2,

2000 Commerce Drive, Pittsburgh, PA 15275; Brooklyn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,477 square feet (0.06 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 50' 51", Longitude: -75° 49' 04"),

2) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 80 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 50' 51.08", Longitude: -75° 49' 04"),

3) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 58 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 50' 51.08", Longitude: -75° 49' 04"),

4) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 54 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 50' 51.08", Longitude: -75° 49' 04"),

5) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,600 square feet (0.04 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 51' 46", Longitude: -75° 49' 38"),

6) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 54 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 48", Longitude: -75° 49' 40"),

7) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,132 square feet (0.12 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 51' 48", Longitude: -75° 49' 40"),

8) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 8,582 square feet (0.20 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 51' 50", Longitude: -75° 49' 46"),

9) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,139 square feet (0.03 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 51' 50", Longitude: -75° 49' 49"),

10) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 25 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 50", Longitude: -75° 49' 49"),

11) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 51 lineal feet of an unnamed tributary to Snake Creek

(CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 44", Longitude: -75° 50' 11"),

12) a 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 51 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 44", Longitude: -75° 50' 11"),

13) a temporary timber mat crossing impacting 27 square feet (< 0.01 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 51' 44", Longitude: -75° 50' 11"),

14) a temporary timber mat crossing impacting 42 square feet (< 0.01 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 51' 40", Longitude: -75° 50' 36"),

15) a temporary timber mat crossing impacting 86 square feet of floodway to an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 44", Longitude: -75° 50' 11"),

16) a temporary timber mat crossing impacting 279 square feet of floodway to an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 44", Longitude: -75° 50' 11"),

17) a temporary timber mat crossing impacting 109 square feet of floodway to an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 44", Longitude: -75° 50' 11"),

18) an 10 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,327 square feet of floodway to an unnamed tributary to Snake Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 51' 40", Longitude: -75° 50' 36").

The project consists of constructing approximately 3.6 miles of 10" steel natural gas gathering line located in Bridgewater Township, Susquehanna County. The project will result in 373 lineal feet of temporary stream impacts, 7,801 square feet (0.18 acre) of floodway only impacts, and 18,999 square feet (0.44 acre) of temporary wetland impacts for the purpose of providing safe and reliable conveyance of Marcellus Shale natural gas to market.

#### 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*

**D20-085EA. Mr. Foster Shaffer, Pennsylvania Game Commission**, Bureau of Wildlife Habitat Management, Division of Engineering and Contract Management, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Troy Township, **Crawford County**, USACOE Pittsburgh District.

Project proposes to remove Dam #13 on State Game Lands #69 for the purpose of eliminating a threat to public safety and restoring approximately 700 feet of stream channel to a free-flowing condition. The project is located across West Branch Little Sugar Creek (CWF) (Sugar Lake, PA Quadrangle, Latitude: 41.6367; Longitude: -79.9008).



## 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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970*

<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>
PA0057801 (Sewage)	Bennington SRSTP 520 Ridge Valley Road Sellersville, PA 18960	BucksCounty West Rockhill Township	Unnamed Tributary to Ridge Valley Creek (3-E)	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>
PA0260789 CAFO	Ron Clark Clark Crest Dairy 754 Solanco Road Quarryville, PA 17566	Lancaster County East Drumore Township	Stewart Run/7-K	Y



*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

<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>
PA0209236 (Sewage)	Tioga Borough Sanitary Sewer STP Krieger Lane Tioga, PA 16946	Tioga County Tioga Township	Tioga River (4-A)	Y

*Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

<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>
PA0098345 (Sewage)	Clifford Pritts Township Elementary School 1542 Indian Creek Valley Road Melcroft, PA 15462	Fayette County Saltlick Township	Indian Creek (19-E)	Y

<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>
Luzerne Township Fayette County	PAG036134	Fenner Dunlop Americas, Inc. 120 Mine Street Allison, PA 15413	Dunlap Creek— 19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Quemahoning Township Somerset County	PAR606158	Kantner Iron & Steel Inc. 365 Bassett Road Hooversville, PA 15936-7608	Stonycreek River— 18-E	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

<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>
PA0096733 (Sewage)	Pleasant View MHP STP Indian Creek Valley Road Melcroft, PA 15462	Fayette County Saltlick Township	(19-E)	Y
PA0216721 (Sewage)	Meerhoff SFSTP 1118 Old Route 31 Mount Pleasant, PA 15666	Westmoreland County Mount Pleasant Township	UNT of Jacobs Creek (18-E)	Y
PA0032182 (Sewage)	Mingo Park Estates STP 92 Little Mingo Road Finleyville, PA 15332	Washington County Nottingham Township	Swale to an Unnamed Tributary of Mingo Creek (19-C)	Y
PA0095036 (Sewage)	Smithton Truck Stop STP Motordrome Road Smithton, PA 15479	Westmoreland County South Huntingdon Township	Swale to an Unnamed Tributary of the Youghiogheny River (19-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>
PA0240206 (Sewage)	Brett A & Nicole Y Neely SRSTP 34789 Tryonville Road Townville, PA 16360	Crawford County Steuben Township	Unnamed Tributary to Navy Run (16-A)	Y
PA0104329 (sewage)	Big Bend Access Area Kinzua Dam Warren, PA 16365-5599	Warren County Mead Township	Allegheny River (16-B)	Y

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**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**


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

**NPDES Permit No. PA0010944**, Industrial Waste, **Glenn Springs Holdings, Inc.**, 375 Armand Hammer Boulevard, Pottstown, PA 19464.

This proposed facility is located in Lower Pottsgrove Township, **Montgomery County**.

Description of Action/Activity: To discharge from a facility known as Occidental Chemicals Groundwater Remediation Site, to Schuylkill River and unnamed tributary Schuylkill River in Watershed(s) 3-D.

**NPDES Permit No. PA0244465** Sewage, **Oehlert Brothers, Inc.**, 1203 South Township Line Road, P.O. Box 699, Royersford, PA 19468-0699.

This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Action/Activity: To discharge from a facility known as Royersford PA Bulk Petroleum Storage Plant to unnamed tributary Mingo Creek in Watershed(s) 3-D.

*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. PA0027375**, Sewage, SIC Code 4952, **City of DuBois Wastewater Treatment Plant**, 16 W Scribner Avenue, DuBois, PA 15801-2210.

This existing facility is located in City of DuBois, **Clearfield County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

**PA0100200**, Sewage, SIC Code 4953, **Reynolds Disposal Co.**, 301 Arlington Drive, Greenville, PA 16125-8214. Facility Name: Reynolds Disposal.

This existing facility is located in Pymatuning Township, **Mercer County**.

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

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**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law**


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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. WQG010045**, Sewage, **Walter Barry**, 40 Freedom Boulevard, West Brandywine, PA 19320.

This proposed facility is located in Westtown Township, **Chester County**.

Description of Action/Activity: Construction and operation of a single residence small flow sewage treatment plant

**WQM Permit No. 1596405**, Sewage, Renewal, **Willistown Township Municipal Authority**, 40 Lloyd Avenue, Suite 204/206, Malvern, PA 19355-3302.

This proposed facility is located in Willistown Township, **Chester County**.

Description of Action/Activity: Permit renewal to continue operation of an existing wastewater treatment facility. (Permit was issued in PA Bulletin)

**WQM Permit No. 4686464**, Sewage, Renewal, **Creek Lane Homeowners Association**, 456 Germantown Pike, Suite 2, Lafayette Hill, PA 19444.

This proposed facility is located in Whitmarsh Township, **Montgomery County**.

Description of Action/Activity: Permit renewal to continue operation of an existing wastewater treatment facility.

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**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**


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*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912032	Jaindl Land Company c/o David M. Jaindl 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)

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**VII. Approvals to Use NPDES and/or Other General Permits**


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*The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 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 Petroleum Product Contaminated Groundwater 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 Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
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—PAG-02**Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Scranton Lackawanna County	PAG02003515005	Gerald Langan 925 Prospect Avenue Scranton, PA 18505	Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford County N Towanda Twp	PAG02000815001	S&S&S Real Estate Ltd Partnership James Schadler 3982 Paxton St Harrisburg, PA 17111	Hemlock Run WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Centre County Gregg Twp	PAG02001415003	Lou Brungard Mt Nittany Med Ctr 1800 E Park Ave State College, PA 16803	UNT Sinking Creek CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County Clinton Twp	PAG02004115001	Montgomery Water & Sewer Auth 35 S Main St Montgomery, PA 17752	Black Hole Creek TSF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Snyder County Monroe Twp	PAG02005515001	PREIT Serv LLC Market Place Blvd Selinsgrove, PA 17870	UNT Susquehanna River CWF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110

*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.*

Buffalo Township Butler County	PAG02001014040	Peoples TWP LLC 205 North Main Street Butler, PA 16001	UNT Bull Creek TSF	Butler County Conservation District 724-284-5270
Sligo Borough & Piney Township Clarion County	PAG02001615003	PA American Water 425 Waterworks Road Clarion, PA 16214	Licking Creek CWF	Clarion County Conservation District 814-297-7813
Fox Township Elk County	PAG02002414008(1)	First Energy 76 S Main Street Akron, OH 44308	Benninger Creek CWF	Elk County Conservation District 814-776-5373
McKean Borough Erie County	PAG02002514030	Middleboro Commons 109 East 10th Street Erie, PA 16501	UNT Elk Creek CWF; MF	Erie County Conservation District 814-825-6403
NorthEast Borough Erie County	PAG02002514034	North East FDS 711623 LLC 3735 Bean Road, Suite B Charlotte, NC 28217	UNT Sixteenmile Creek WWF	Erie County Conservation District 814-825-6403
Harborcreek Township Erie County	PAG02002514037	Penn State Cobblestone 1001 State Street Erie, PA 16501	Fourmile Creek WWF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-03**Facility Location  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Upper Saucon Township Lehigh County	PAR802215	Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222	Unnamed tributary to Saucon Creek/CWF and MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
North Manheim Township & Cressona Borough Schuylkill County	PAR212221	Northeast Prestressed Products, LLC 121 River Street Cressona, PA 17929-1133	Panther Creek and West Branch Schuylkill River—3-A CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Blair County Blair Township	PAG033517	Everett Railroad Company Duncansville Facility 424 2nd Avenue Duncansville, PA 16635	Beaverdam Branch/TSF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Strabane Township	PAG033516	Southern States Cooperative, Inc. PO Box 26234 Richmond, VA 23260 <hr/> Southern States Cooperative Facility 1896 York Road Gettysburg, PA 17325-8205	UNT of Rock Creek/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707



<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>
Blair County Greenfield Township	PAR803682	Everett Railroad Company 424 2nd Avenue Duncansville, PA 16635 <hr/> Everett Railroad Company Claysburg Facility Church Street Claysburg, PA 16625	Beaverdam Creek/CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
<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>
Center Township Beaver County	PAR606151	Szuch Jerry S 101 Constitution Boulevard Monaca, PA 15061	Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Moon Township Allegheny County	PAR606152	Jerry Szuch 176 Flaugherty Run Road Coraopolis, PA 15108	Flaugherty Run— 20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Collier Township Allegheny County	PAR506111	BFI Waste Services of Pennsylvania, LLC 73A West Noblestown Road Carnegie, PA 15106-1655	Robinson Run—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-4*

<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>
Philadelphia City Philadelphia County	PAG040198	Mendte Dawn E 151 E Bells Mill Road Philadelphia, PA 19118-2616	Wissahickon Creek—3-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

*General Permit Type—PAG-9*

<i>Facility Location &amp; County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Perry County/ Spring Township	PAG093529	Advanced Septic Service, Inc. 65 Richard Lane Landisburg, PA 17040	Advanced Septic Service, Inc. 65 Richard Lane Landisburg, PA 17040	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Perry County Tyrone Township	PAG123779	Phillip Reisinger Reisinger Poultry Farm 647 Polecat Road Landisburg, PA 17040	Green Valley Run/CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-13*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133592	Denver Borough 501 Main Street Denver, PA 17517	Lancaster	Denver Borough	Cocalico Creek, Little Cocalico Creek/TSF, WWF and MF	Y
PAG133541	East Lampeter Township 2205 Old Philadelphia Pike Lancaster, PA 17602	Lancaster	East Lampeter Township	Conestoga River, Mill Creek, Pequea Creek and Stauffer Run/WWF and MF	Y

**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>
Kenton Sweigart 620 Greider Road Mount Joy, PA 17552	Lancaster	449	1,348.69	Swine/ Pullets/ Dairy	NA	Approved
James Stahl 910 Jake Landis Road Lititz, PA 17543	Lancaster	251.7	406.01	Layers/ Steer	NA	Approved
Harold Weaver 2693 N. Colebrook Road Manheim, PA 17545	Lancaster	60.7	131.2	Ducks	NA	Approved
Larry Breneman 774 Bunker Hill Road Strasburg, PA 17579	Lancaster	153	405.04	Swine	NA	Approved
Sunrise Farms Kenneth Beers 1236 Newport Road Duncannon, PA 17020	Perry	461.8	186.6	Poultry/ Beef	None	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

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 3515501MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Pennsylvania-American Water Company</b> (Lake Scranton Water System) 800 West Hershey Park Drive Hershey, PA 17033
[Borough or Township]	Archbald Borough
County	<b>Lackawanna</b>
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania-American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	March 10, 2015

**Permit No. 4015501MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Pennsylvania-American Water Company</b> (Nesbitt Water System) 800 West Hershey Park Drive Hershey, PA 17033
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[Borough or Township]	West Wyoming Borough
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania-American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	March 11, 2015

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 2215501 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Pennsylvania-American Water Company</b>
Municipality	West Hanover Township
County	Dauphin
Responsible Official	David R. Kauffman 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Repainting of the interior and exterior of the Westford Storage Tank.
Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	3/5/2015

**Permit No. 0615501 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Borough of Shoemakersville</b>
Municipality	Shoemakersville Borough
County	<b>Berks</b>
Responsible Official	Chris Kline, Water Committee Chair 115 East 9th Street Shoemakersville, PA 19555
Type of Facility	Installation of a mixer in the existing 200,000 gallon finished water storage tank located of State Route 61.
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Group, Inc 535 Courtney Hodges Boulevard Perry, GA 31069
Permit to Construct Issued	3/5/2015

**Operation Permit No. 0611516 MA** issued to: **Borough of Fleetwood (PWS ID No. 3060029)**, Ruscombmanor Township, **Berks County** on 3/4/2015 for facilities approved under Construction Permit No. 0611516 MA.

**Operation Permit No. 3614510** issued to: **RD's American Grill (PWS ID No. 7360465)**, Drumore Township, **Lancaster County** on 3/5/2015 for facilities approved under Construction Permit No. 3614510.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 0814504—Construction—Public Water Supply.**

Applicant	<b>Saxe Pond</b>
Township/Borough	Wilmot Township
County	<b>Bradford</b>
Responsible Official	Mr. Michael Saxe 42 Saxe Pond Road Dushore, PA 18614
Type of Facility	Public Water Supply
Consulting Engineer	Mark Catalano, P.E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Permit Issued	March 4, 2015
Description of Action	Installation of a cation exchange system for softening, followed by an anion exchange system for nitrate removal.

**Permit No. 0814505—Construction—Public Water Supply.**

Applicant	<b>Jones RV Park</b>
Township/Borough	Ulster Township
County	<b>Bradford</b>
Responsible Official	Myron Rosh, Owner Jones RV Park 401 E. Frederick Street Athens, PA 18810
Type of Facility	Public Water Supply
Consulting Engineer	Mark Catalano, P.E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Permit Issued	March 9, 2015
Description of Action	Addition of ion exchange equipment to the Jones RV Park public water supply system, primarily to reduce nitrite in the water to less than 50% of its Maximum Contaminant Level (MCL), in accordance with 25 Pa. Code § 109.301(7)(C), as well as to soften the water. The MCL for nitrite is 1 mg/L, which was being exceeded by a factor of 3.64 and resulted in the Notice of Violation dated May 9, 2014.

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

**Permit No. 0213536, Public Water Supply.**

Applicant	<b>Monroeville Municipal Authority</b> 219 Speelman Lane Monroeville, PA 15146
[Borough or Township]	Monroeville Borough

County  
Type of Facility

**Allegheny**

Haymaker pump station  
Consulting Engineer  
Chester Engineers  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Permit to Construct  
Issued

March 6, 2015

**Permit No. 0213543, Public Water Supply.**

Applicant	<b>Monroeville Municipal Authority</b> 219 Speelman Lane Monroeville, PA 15146
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[Borough or Township] Monroeville Borough

County

**Allegheny**

Type of Facility

Boyce Park tank

Consulting Engineer

Chester Engineers  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Permit to Construct  
Issued

March 6, 2015

**Operations Permit** issued to: **Highland Sewer & Water Authority**, 120 Tank Drive, Johnstown, PA 15904 (PWSID #4110017), Richland Township, **Cambria County** on March 6, 2015 for the operation of facilities approved under Construction Permit # 1113519MA.

**Operations Permit** issued to: **Highland Sewer & Water Authority**, 120 Tank Drive, Johnstown, PA 15904 (PWSID #4110017), Richland Township, **Cambria County** on March 6, 2015 for the operation of facilities approved under Construction Permit # 1113520MA.

**Permit No. 2614518MA, Minor Amendment.** Public Water Supply.

Applicant	<b>North Fayette County Municipal Authority</b>
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[Borough or Township] Dunbar Township

County

**Fayette**

Type of Facility

Water system

Consulting Engineer

Permit to Construct  
Issued

March 6, 2015

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

**Permit No., 2514503 Public Water Supply**

Applicant	<b>Majestic Height Mobile Home Park</b>
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Township or Borough Washington Township

County

**Erie**

Type of Facility

Public Water Supply

Consulting Engineer

Steven R. Halmi, P.E.  
Deiss & Halmi Engineering, Inc.  
105 Meadville Street  
Edinboro, PA 16412

Permit to Construct  
Issued

March 6, 2015



### WATER ALLOCATIONS

**Actions taken on 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.**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA 55-173B, Water Allocations. Middleburg Municipal Authority**, 13 North Main Street, Middleburg, PA 17842, Middleburg Borough, **Snyder County**. This Water Allocation Permit grants Middleburg Municipal Authority the right to withdraw a maximum of 84,000 GPDs from Erb Run, a maximum of 50,000 GPDs from the East Branch of Bowersox Run, and a maximum of 70,000 GPDs from the West Branch of Bowersox Run, with no passby requirements for the first 5 years from the date of this permit; thereafter, the permitted withdrawals remain the same and passby flows are required. After the first 5 years of this allocation permit, unaccounted for water loss is expected to be 20% or less. The allocations that are hereby granted take into account reasonable projections of future use that can be supported by past data. In addition, allocations are limited by the safe yields of the sources.

### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

*Southeast Region: Clean Water Program Manager, 2 E. Main Street, Norristown, PA 19401. Telephone 484-250-5970*

#### Plan Location:

Borough or Township	Borough or Township Address	County
Abington	1013 Fox Chase Road Jenkintown, PA 19046	Montgomery

On January 21, 2015, the Southeast Regional office approved the Planning Module for Land Development for St. Michael Archangel Ukrainian Catholic Church located at 1013 Fox Chase Road, in Abington Township, Montgomery County (APS ID 784562, AUTH ID 1039255).

The Plan provides for the construction of an 11,640 square foot, 1-story church hall and a 1,933 square foot, 2-story parsonage at an existing church campus. The church campus currently contains a 222-seat church, a caretaker's residence and a multi-use/rectory building. The existing and proposed buildings are depicted on the site plan titled, "Final Land Development Plan Planning Module Plan for St. Michael Archangel Ukrainian Catholic Church", prepared by Highpoint Services, Inc., last revised December 11, 2014. Two new buildings will provide additional space for functions that are currently held in the rectory/multi-use building, provide separate housing for clergy members and their families who currently reside in the existing rectory/multi-use building and provide space for new and/or expanded functions, such as religious classes and weekly church suppers.

All existing buildings are connected to Abington Township's public sewer collection system that is tributary to sewers in Cheltenham Township and ultimately to the City of Philadelphia's Northeast Water Pollution Control Facility. All of the proposed buildings will also connect to Abington Township's sewage collection system and will

generate on average an additional 1,325 gallons of sewage per day to be treated at the City of Philadelphia Water Department's Northeast Water Pollution Control Facility.

Capacity for this project is provided consistent with Appendix D, Abington Township Connections section, of the Cheltenham Township Chapter 94 Wasteload Management Plan and associated Connection Management Plan, dated November 4, 2013.

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act**

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

#### Plan Location:

Borough or Township	Borough or Township Address	County
Exeter Township	4975 Demoss Rd, Reading, PA 19606	Berks

*Plan Description:* The Request for a Planning Exemption for the 5451 Oley Turnpike Road Development Project, DEP Code No. A3-06932-288-2E, APS Id 865111, which proposes a new on-lot sewage disposal system to serve a caregiver house and restrooms for periodic events at a vineyard, with total peak flows of 1,650 gallons per day, is disapproved. The submission does not qualify as an exemption from the requirement to revise the Official Plan because it proposes the use of an onlot sewage disposal system in an area that is within 1/4 mile of water supplies documented to exceed 5 PPM nitrate-nitrogen as per Chapter 71, Section 71.51(b)(1)(ii).

#### Plan Location:

Borough or Township	Borough or Township Address	County
Cumru Township	1775 Welsh Rd, Mohnton, PA 19540	Berks

• *Plan Description:* The request for an exception to the requirement to revise the Official Plan for the James and Joyce Hoffert Subdivision, DEP Code No. A3-06928-304-1, APS Id 865094, consisting of one new single family residential lot using an individual on-lot sewage disposal system, is disapproved. Pursuant to Chapter 71, Sections 71.55(a)(2) and 71.62(c)(2)(iii), and Cumru Township's Official Plan the submission does not qualify as an exception to the requirement to revise the Official Sewage Facilities Plan because the subdivision proposes the use of onlot sewage disposal systems in an area within 1/4 mile of water supplies documented to exceed 5 PPMs nitrate-nitrogen.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submis-

sion 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:

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

**Chesapeake Appalachia**, Sivers BRA Pad, 48 Stevensville Mountain Road, Tuscarora Township, **Bradford County**. Leidos Engineering, LLC, 180 Gordon Drive, Suite 109, Exton, PA 19341, on behalf of Chesapeake Appalachia LLC, 300 N 2nd Street, 5th Floor, Harrisburg, PA 17101, submitted a Final Report concerning remediation of site soils contaminated with metals, aluminum, arsenic, barium, boron, chromium, copper, iron, lead, manganese, vanadium and zinc. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Crete Carriers Corporation**, State Route 118W, Moreland Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Crete Carriers Corporation, P.O. Box 81228 Lincoln, NE 68501 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether, Lead, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Chrysene, Indeno(1,2,3-cd)pyrene, Pyrene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Former TRW Inc. Danville Site**, 601 East Market Street, Danville, **Montour County**. Brown and Caldwell, 2 Park Way, Suite 2A, Upper Saddle River, NJ 07458, on behalf of Northrop Grumman Systems Corporation, 2980 Fairview Park Drive, Falls Church, VA 22042-4511 has

submitted a Final Report concerning remediation of site soils and groundwater contaminated with Chloroethane, 1,1-Dichloroethane, 1,1-Dichloroethylene, cis-1,2-Dichloroethylene, 1,4-Dioxane, Methylene Chloride, Tetrachloroethylene, 1,1,1-Trichloroethane, Trichloroethylene, and Vinyl Chloride. The report is intended to document remediation of the site to meet the Site-specific Standard.

**Growmark FS LLC Property**, 200 Packer Avenue, Towanda Borough, **Bradford County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Growmark FS, LLC, 308 NE Front Street, Milford, DE 19963 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with Alachlor, and Atrazine. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Hoovestol, Inc.**, 180 @ MM218E, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. 231, Northumberland, PA 17857, on behalf of Hoovestol, Inc., 3321 Mike Collins Dr. Eagan, MN 55121 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether, Lead, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Chrysene, Indeno(1,2,3-cd) pyrene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**O-Tex Pumping, LLC**, 13000, State Route 220W, Penn Township, **Lycoming County**. Northridge Group, Inc., P.O. 231, Northumberland, PA 17857, on behalf of O-Tex Pumping, LLC, 13000, State Route 220W, Muncy Valley, PA 17758 submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Steven Jones Accident**, 1295 Buffalo Road, Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Steven Jones, 344 N. Fourth St, Lewisburg, PA 17837 for the property located at 1295 Buffalo Road, Lewisburg, PA 17837 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether, and Xylenes, Total. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**XTO Energy Inc., William T. Mahaffey Heirs 8131 well site**, Camp Corbly Road, Bell Township, **Clearfield County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of XTO Energy, Inc. 395 Airport Road, Indiana, PA 15701 has submitted a Final Report concerning remediation of site soils contaminated with chloride and other production water constituents. The report is intended to document remediation of the site to meet the Site-specific Standard.

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

**Tri-State Tobacco Property**, 1061 Pennsylvania Avenue, Matamoras, PA 18336, Westfall Township, **Pike County**. Mr. Martin Gilgallon, Pennsylvania Tectonics

Inc., 723 Main Street, Archbald, PA 18403, on behalf of Mr. Rishi Parikh, Cash Matrix, 73 Pleasant Street, Monticello, NY 12701, submitted a Final Report. #2 Fuel Oil contamination was discovered during the closure of an underground storage tank. The proposed future use of the property will be non-residential, and the proposed cleanup standard for the site is the Statewide Health Standard for soil. The Final Report was published in *The Pocono Record* on February 4, 2015.

**Jeffers Farm Pipeline Right-of-Way**, Harford Township, **Susquehanna County**. Steven Vedder, EP&S of Vermont Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Jeffers Farms Inc., 12330 Pennsylvania 106, Kingsley, PA 18826, and Loomis Lake Association Inc., 20 Lakewood Road, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of site soils. The remediation is for brine-related compounds found to be present in soil at the property location cited above as a result of a release from a 4-inch valve on a natural gas pipeline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Slate Belt YMCA**, 315 West Pennsylvania Avenue, Pen Argyl Borough, **Northampton County**. HDR Engineering Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Mr. John Goffredo, Nu Cor Management Inc., 122 Broadway Avenue, Wind Gap, PA 180914, submitted a Final Report concerning remediation of site soils contaminated with benzo(a)pyrene, arsenic, lead, and thallium. The report is intended to document remediation of the site to meet the Site Specific Standard.

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

**South Oakview Road & Lincoln Highway East**, 2034 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., on behalf of Mel-lin Enterprises DBA McDonald's, 2090 Lincoln Highway East, Lancaster, PA 17602, submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Property at 4532 East Prospect Road**, York, PA 17402, Lower Windsor Township, **York County**. Geo-Technology Associates, Inc., 3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Estate of Horace Heindel, c/o Donald Heindel, 685 Stonewood Road, York, PA 17402, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with gasoline and kerosene from unregulated underground storage tanks. The combined report is intended to document remediation of the site to meet the Site Specific Standard.

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

**Leech Tool**, 13144 Dickson Road, West Mead Township, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Leech Tool, 13144 Dickson Road, Meadville, PA 16335, submitted a Final Report concerning the remediation of site groundwater contaminated with Tetrachloroethene, Trichloroethene, cis 1,2 Dichloroethene, trans 1,2 Dichloroethene, 1,1 Dichloroethene, and Vinyl Chloride. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Former Chevron Facility #206640—Neville Island**, 500 Grand Avenue, Neville Township, **Allegheny County**. ARCADIS U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090 on behalf of Chevron U.S.A. Inc., Chevron Environmental Management Company, 4800 Fournace Place Rm. E 536C, Bellair, TX 77401 has submitted a Remedial Investigation Report & Cleanup Plan concerning the remediation site soils and groundwater contaminated with arsenic, manganese, copper, methyl tert butyl ether (MTBE) and polynuclear aromatic hydrocarbons (PAHs). Notice of the RI/CP was published in the *Pittsburgh Post-Gazette* on February 22, 2015.

## 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:

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

**Chesapeake Appalachia, Sivers BRA Pad**, 48 Stevensville Mountain Road, Tuscarora Township, **Bradford County**. Leidos Engineering, LLC, 180 Gordon Drive, Suite 109, Exton., PA 19341, on behalf of Chesapeake Appalachia, LLC, 300 N 2nd Street, 5th Floor, Harrisburg, PA 17101, submitted a Final Report concerning the remediation of site soils contaminated with metals, aluminum, arsenic, barium, boron, chromium, copper, iron, lead, manganese, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on February 3, 2015.

**Former TRW Inc. Danville Site**, 601 East Market Street, Danville, **Montour County**. Brown & Caldwell, 2 Park Way, Suite 2A, Upper Saddle River, NJ 07458 on behalf of Northrop Grumman Systems Corporation, 2980 Fairview Park Drive, Falls Church, VA 22042-4511, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Chloroethane, 1,1-Dichloroethane, 1,1-Dichloroethylene, cis-1,2-Dichloroethylene, 1,4-Dioxane, Methylene Chloride, Tetrachloroethylene, 1,1,1-Trichloroethane, Trichloroethylene, and Vinyl Chloride. The Final Report demonstrated attainment of the Site-specific Standard, and was approved by the Department on March 2, 2015.

**Former Cerro Metal Facility**, 2022 Axemann Road, Spring Township, **Centre County**. Letterle & Associates, 629 East Rolling Drive, Bellefonte, PA 16823 on behalf of Former Cerro Metals Facility Plant 1 Area has submitted a Final Report concerning the remediation of site soil contaminated solvents and aromatic hydrocarbons. The Final Report demonstrated attainment of Site-Specific Standard, and was approved by the Department on January 29, 2015.

**XTO Energy Inc., William T Mahaffey Heirs 8131 well site**, Camp Corbly Road, Bell Township, **Clearfield County**. Groundwater & Environmental Services Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Final Report concerning the remediation of site soils contaminated with chloride and other production water constituents.

The Final Report demonstrated attainment of the Site-specific Standard, and was approved by the Department on February 17, 2015.

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

**HDE Corporation**, 639 Grammes Lane, Upper Macungie Township, **Lehigh County**. Thomas Martinelli, JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064 on behalf of HDE Corporation, Sara Chan, Manager, 639 Grammes Lane, Allentown, PA 18104,

submitted a Notice of Intent to Remediate and Final Report concerning remediation of site soil contaminated with fuel oil #2. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on March 2, 2015.

**James Property**, 25 Center Avenue, Schuylkill Haven Borough, **Schuylkill County**. Ira Walton, United Environmental Services Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Patrick James, 51 Longview Drive, Schuylkill Haven, PA 17972, submitted a Final Report concerning 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 March 5, 2015.

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

**Property at 4532 East Prospect Road**, York, PA 17402, Lower Windsor Township, **York County**. Geo-Technology Associates, Inc., 3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Estate of Horace Heindel, c/o Donald Heindel, 685 Stonewood Road, York, PA 17402, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with gasoline and kerosene from unregulated underground storage tanks. The combined report was administratively incomplete and was disapproved by the Department on March 5, 2015.

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

**Richard E. Feldman Property**, 5552 West Ridge Road, Millcreek Township, **Erie County**. Environmental Remediation, 4250 Route 6N, Edinboro, PA 16412, on behalf of Jon and Janet Skrabacz, 5404 Pinehurst Drive, Erie, PA 16509, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethylbenzene, Isopropylbenzene, Methyl-tert-butyl ether, Napthalene, Tolulene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on March 3, 2015.

**Sheffel Girard, LLC**, 729, 809, & 821 East Mail Street, Girard Borough, **Erie County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 1601, on behalf of Sheffel Girard, LLC, 116 Union Avenue, Altoona, PA 16602, submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soils contaminated with Tetrachloroethene, Dichlorodifluoromethane, 2-Butanone, Dibromochloromethane, Arsenic, Lead, Chromium, and Barium. The Remedial Investigation/Risk Assessment/Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on March 5, 2015.

**Pritchard Lease Well 28 Release**, No Address Provided, Sugar creek Borough, **Venango County**. Moody & Associates, Inc., 11548 Cotton Road, on behalf of Dannic Energy Corporation, 134 Mill Run, Indiana, PA 15701, submitted a Final Report concerning the remediation of site soil contaminated with Aluminum, Barium, Boron, Chloride, Iron, Lithium, Manganese, Selenium, Vanadium, Zinc. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 9, 2015.



## RESIDUAL WASTE GENERAL PERMITS

**Application Withdrawn Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR097R023. NJ Zinc Brownfield, LLC, 1120 Mauch Chunk Road, Palmerton, PA 18071-1110.** This application is for research and development. The proposed research and development project involves mixing C&D fines with regulated fill to produce levels of compaction that will support structures for brownfield remediation activities. The application was withdrawn by NJ Zinc Brownfield, LLC on October 29, 2014.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits revoked under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. WMGR081SC001 Skills of Central Pennsylvania, Inc. 40 Pennsylvania Avenue Huntingdon, PA 16652.** This general permit was revoked on February 23, 2015 at the applicant's request. The facility was permitted for electronic recycling, but never received waste at the facility. The Department conducted a closure inspection at the facility on February 5, 2015. This permit is revoked in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

## 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.**

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

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920*

**GP3-15-0069: Limestone Properties, LLC (1020 Broad Run Road, Landenberg, PA 19350)** On March 6, 2015 for operation of a portable nonmetallic crusher & screen in Avondale, **Chester County**.

**GP9-15-0021: Limestone Properties, LLC (1020 Broad Run Road, Landenberg, PA 19350)** On March 6, 2015 for operation of engines and diesel fuel-fired internal combustion unit in Avondale, **Chester County**.

**GP1-46-0246: Saint Charles Borromeo Seminary (100 East Wynnewood Rd, Wynnewood, PA 19106)** On March 2, 2015 to operate two (2) small natural gas and/or No. 2 fuel oil fired combustion units in Lower Merion Township, **Montgomery County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531*

**GP3-58-038: J.P. Reilly Construction, LP (559 Turnpike Road, Friendsville, PA 18818)** on February 26, 2015 for the construction and operation of a Portable Crushing Operation with water sprays at the Dias Neilton Quarry located in Lathrop Twp., **Susquehanna County**.

**GP9-58-038: J.P. Reilly Construction, LP (559 Turnpike Road, Friendsville, PA 18818)** on February 26, 2015 for the installation and operation of Diesel I/C engine(s) at the Dias Neilton Quarry located in Lathrop Twp., **Susquehanna County**.

**GP9-58-037: Meshoppen Stone, Incorporated (P.O. Box 127, Meshoppen, PA 18630)** on February 23, 2015, for the construction and operation of diesel fired internal combustion engines at the facility located in Auburn Township, **Susquehanna County**.

**GP9-58-036: Meshoppen Stone, Incorporated (P.O. Box 127, Meshoppen, PA 18630)** on February 23, 2015, for the construction and operation of diesel fired internal combustion engines at the facility located in Dimock Township, **Susquehanna County**.

**GP3-58-037: Meshoppen Stone, Incorporated (P.O. Box 127, Meshoppen, PA 18630)** on February 23, 2015, for the construction and operation of a portable stone crushing plant at the facility located in Auburn Township, **Susquehanna County**.

**GP3-58-036: Meshoppen Stone, Incorporated (P.O. Box 127, Meshoppen, PA 18630)** on February 23, 2015, for the construction and operation of a portable stone crushing plant at the facility located in Dimock Township, **Susquehanna County**.

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

*Contact: Ronald Davis, New Source Review Chief—Telephone: 717-705-4702*

**GP1-06-05079: United Corrstack, LLC (720 Laurel Street, Reading, PA 19602)** on February 27, 2015, for a new 26.8 MMBtu/hr., natural gas-fired boiler under GP1, at the roll stock paper manufacturing facility in the City of Reading, **Berks County**.

**GP1-21-03095: Schreiber Foods, Inc. (208 East Dykeman Road, Shippensburg, PA 17257)** on March 6, 2015, for the continued operation of four (4) existing natural gas and/or No. 2 oil-fired boilers, under GP1, at the dairy products manufacturing facility in Shippensburg Borough, **Cumberland County**. The general permit authorization was renewed.

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

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648*

**GP5-08-299G: Appalachia Midstream Services, LLC (P.O. Box 54382, Oklahoma City, OK 73154-1382)** on March 2, 2015, for the reactivation and operation of one (1) 42.1 bhp Caterpillar #LRG425 natural gas-fired engine; one (1) 140 MMscfd TEG dehydration unit equipped

with a 1 MMBtu/hour natural gas-fired reboiler; two (2) 400 bbl production water storage tanks; one (1) 3.5 MMBtu/hour natural gas-fired line heater; various fugitive emissions pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Evanchick Interconnect site located in Asylum Township, **Bradford County**.

**GP5-08-357A: Appalachia Midstream Services, LLC** (P.O. Box 54382, Oklahoma City, OK 73154-1382) on March 2, 2015, for the construction and operation of ten (10) 1,775 bhp Caterpillar model #G3606LE, natural gas-fired, compressor engines, each equipped with 2-way oxidation catalysts; three (3) 701 bhp Cummins #450GFGA natural gas-fired engine/generator sets; five (5) 140 MMscfd TEG dehydration units, each equipped with a 2 MMBtu/hr natural gas-fired reboiler; four (4) 400 bbl production water storage tanks; fifteen (15) 13 bbl methanol storage tanks; various fugitive emissions pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Wilmot Compressor Station located in Wilmot Township, **Bradford County**.

**GP5-57-058B: Appalachia Midstream Services, LLC** (P.O. Box 54382, Oklahoma City, OK 73154-1382) on March 2, 2015, for the operation of five (5) 3,550 bhp Caterpillar G3612LE natural gas-fired compressor engines, each equipped with an EMIT Technologies catalytic oxidizer; five (5) 140 MMscfd TEG dehydration units, each equipped with a 2 MMBtu/hr natural gas-fired reboiler; four (4) 400 bbl production water storage tanks; three (3) 650 bhp Baldor IGLC420-2N natural gas-fired emergency generator engines, each equipped with a 3-way catalyst; various fugitive emissions, blowdowns and truck unloading operations pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Cherry Compressor Station located in Cherry Township, **Sullivan County**.

**GP5-17-24A: Alliance Petroleum Corporation** (4150 Belden Village Avenue, NW, Suite 410, Canton, OH 44718) on February 23, 2015, for the operation of one (1) 145 bhp Caterpillar #G3306NAHCR natural gas-fired engine and one (1) 150,000 BTU/hr Pride of the Hills dehydration unit pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Tate Hepburnia Extension compressor station located in Penn Township, **Clearfield County**.

**GP2-41-653A: NALCO Company** (3200 Southwest Frwy, Suite 2700 Houston, TX 77027) on February 24, 2015, for the transfer of ownership and continued operation of sixteen (16) 6,500 gallon fixed roof tanks pursuant to the General Plan Approval and General Operating Permit for Storage Tanks for Volatile Organic Liquids (BAQ-GPA/GP-2) at their Hughesville facility located in Wolf Township, **Lycoming County**.

**GP5-41-723A: Pennsylvania General Energy Company, LLC** (120 Market Street, Warren, PA 16365) on March 10, 2015, for the construction and operation of seven (7) 1,775 bhp Caterpillar model #G3606 LE, natural gas-fired, 4-stroke, lean burn compressor engines, each equipped with a Powertherm Co., Inc. 2-way oxidation catalyst; five (5) 200 kW Capstone C200 microturbines; two (2) 60 MMscfd TEG dehydration units, each equipped with a flash tank, 2.31 MMBtu/hr natural gas-fired reboiler, and enclosed flare; eleven (11) storage tanks; one (1) 0.75 MMBtu/hr gun barrel heater; various

fugitive emissions; and Tract 293 Well Pads E and G, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) associated with the Tract 293 Compressor Station located in McHenry Township, **Lycoming County**.

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

*Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940*

**GP3-37-332E: Amerikohl Aggregates** (609 Chewton-Wurtemberg Rd., Wampum, PA 16157) on March 4, 2015 for the installation and operation of additional sources at your existing portable nonmetallic processing plant, consisting of the following units: Metso ST272 and four (4) associated conveyors (BAQ-GPA/GP3) located at your facility in Wayne Township, **Lawrence County**.

**GP11-37-332F: Amerikohl Aggregates** (609 Chewton-Wurtemberg Rd., Wampum, PA 16157) on March 4, 2015 for the installation and operation of a diesel or No. 2 fuel fired nonroad internal combustion engine (Caterpillar C4.4) (BAQ-GPA/GP11) located at your facility in Wayne Township, **Lawrence County**.

**GP5-37-347A: Hilcorp Energy Company Pulaski Carlisle Central Facility** (Brown School Road, Pulaski, PA 16143) on March 3, 2015, for the authority to construct and/or operate two (2) natural gas fired compressor engines (Caterpillar G3516B, 3406 NA), two (2) 55 mmscf/d glycol reboilers, 1.5 mmBtu line heater, 1.5 mmBtu heated inlet separator, flare, and condensate produced water, and slop oil storage tanks (BAQ-GPA/GP5) located at your facility in Pulaski Township, **Lawrence County**.

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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 Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-03102B: The City of Reading** (815 Washington Street, Reading, PA 19601) on March 2, 2015 for upgrades to the Reading Waste Water Treatment Plant on Fritz Island located in the City of Reading, **Berks County**.

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

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

**43-366B: National Fuel Gas Supply Corporation** (6363 Main Street, Williamsville, NY 14221), on March 6, 2015 issued a plan approval for the installation of: one (1) natural gas fired compressor engine rated 3,750 bhp, four (4) natural gas fired catalytic heaters at their existing Mercer Compressor Station in Jefferson Township, **Mercer 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: James A. Beach, New Source Review Chief—Telephone: 484-250-5920*

**09-0174E: Liberty Coating Company, LLC:** (21 South Street Rd, Morrisville, PA 19067) On March 3, 2015 to manufacturing metal coating and allied services in Falls Township, **Bucks County**.

**15-0140: Carriage PA Holdings Inc.:** (736 E Lancaster Ave, Downingtown, PA 19335-2720) On March 2, 2015 for service of a funeral service and crematory in Downingtown Borough, **Chester County**.

**23-0119A: Sunoco Logistics Mkt & Term LP** (100 Green Street, Marcus Hook, PA 19061) On March 2, 2015 for the Trans & utilities, at a special warehousing and storage, nec in Marcus Hook Borough, **Delaware County**.

**23-0119: Sunoco Logistics Mkt & Term LP:** (100 Green Street, Marcus Hook, PA 19061) On March 2, 2015 for the Trans & utilities, at a special warehousing and storage, nec, in Marcus Hook Borough, **Delaware County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**38-05028C: Bemis Packaging, Inc.** (5 Keystone Drive, Lebanon, PA 17042-9791) on March 6, 2015, for the installation of two rotogravure printing presses, two additional regenerative thermal oxidizers, and a wax coater at the facility in South Lebanon Township, **Lebanon County**. The Title V plan approval also removes the synthetic minor facility VOC limit from State-Only Permit No. 38-05028 for existing sources at the facility. The plan approval was extended.

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

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

**47-00014B: United States Gypsum Company** (60 PPL Road, Danville, PA 17821) on February 23, 2015, extended the authorization an additional 180 days from May 30, 2015 to November 26, 2015, to continue the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the wallboard kiln located at their facility in Derry Township, **Montour County** pending issuance of Title V operating permit. The plan approval has been extended.

**47-309-001A: United States Gypsum Company** (60 PPL Road, Danville, PA 17821) on February 23, 2015, extended the authorization an additional 180 days from March 14, 2015 to September 10, 2015, to continue the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the synthetic gypsum unloading operations located at their facility in Derry Township, **Montour County** pending issuance of Title V operating permit. The plan approval has been extended.

**47-309-001: United States Gypsum Company** (60 PPL Road, Danville, PA 17821) on February 23, 2015, extended the authorization an additional 180 days from May 7, 2015 to November 3, 2015, to continue the evaluation for compliance with the plan approval condi-

tions. Additionally, the extension allows continued operation of the facility located in Derry Township, **Montour County** pending issuance of Title V operating permit. The plan approval has been extended.

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

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**65-00857B: Saint-Gobain Ceramics** (4702 Route 982, Latrobe, PA 15650) on March 6, 2015, to extend the period of temporary operation of the Roller Hearth Kiln for 180-days at the Latrobe Plant in Derry Township, **Westmoreland County**. The new expiration date is September 11, 2015.

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

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

**10-381B: Mountain Gathering LLC, Forward Compressor Station** (810 Houston Street, Fort Worth, TX 76102-6203) on March 5, 2015, effective March 31, 2015, will issue a plan approval extension for the modification of facility wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at the facility. These modifications were required by the December 3, 2013 Settlement Agreement by and among The Group Against Smog and Pollution, Inc. (GASP), Mountain Gathering LLC (Mountain Gathering) and the Department. This facility is a compressor station, located at 275 Powder Mill Road, Renfrew, PA 16053, in Forward Township, **Butler County**. Upon completion of this project, this facility will be issued a state only operating permit.

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

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

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

**23-00119: Sunoco Partners Marketing & Terminals:** On March 2, 2015 (100 Green Street, Marcus Hook, PA 19061) for operation of a separation and storage petrochemical facility in Marcus Hook Borough, **Delaware County**. As a result of potential emissions of NO<sub>x</sub>, CO, GHG, VOCs and HAPs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting for the remaining sources at the facility.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**36-05053: Buck Company, Inc.** (897 Lancaster Pike, Quarryville, PA 17566-9738) on March 2, 2015, for their metal foundry located in Providence Township, **Lancaster County**. The Title V permit was renewed.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**53-00016: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Suite 1446C, Houston, TX 77002) on February 23, 2015, renewed State Only Operating Permit 53-00016 for their Compressor Station 313A facility located in Genesee Township, **Potter County**. All applicable Federal and State regulatory requirements including monitoring, recordkeeping, reporting and work practice conditions in order to demonstrate compliance with the applicable regulatory requirements have been included in the state only operating permit for this facility.

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

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

**25-01007: Formtech Enterprises, Inc.** (7301 Klier Drive, Fairview, PA 16415), on March 4 issued a Natural Minor Operating Permit for the custom extrusion manufacturing of molded thermoplastic parts. The facility's primary emission sources are 14 plastic extrusion lines, plastic grinding, a burn off oven, and miscellaneous natural gas furnaces and a water heater at their facility in Fairview Township, **Erie County**. The requirements of Plan Approval 25-1007A are incorporated into the permit. The facility wide potential emissions are less than 2 TPY for each of the criteria pollutants. Hazardous Air Pollutants are also less than 2 TPY. Facility-wide CO<sub>2</sub>e emissions are approximately 1,171 TPY.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**Penn Color, Inc.** On March 2, 2015 (2755 Bergey Road, Hatfield, PA 19440) On March 2, 2015 for operation of a pigment dispersion and color concentrates manufacturing plant owned and operated by Penn Color, Inc. located in Hatfield Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. Facility wide criteria pollutant emissions are restricted to less than the major facility thresholds; therefore, the facility is classified as a Synthetic Minor facility. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions for the E11 Extruder listed in Source ID 109 of Plan Approval No. 46-0262D. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

**23-00017. Exelon Generation Co. Eddystone Generating Station.** (One Industrial Highway, Eddystone,

PA, 19022) On March 2, 2015 for operation of their electric utility steam generating units in Eddystone Borough, **Delaware County**. This amendment changes the testing requirement to match the changes made in the underlying federal regulation (40 CFR 63.100005(f)). The federal regulation has been rewritten to allow an extra 180 days for testing after the compliance date of April 16, 2015. Administrative Amendment of State-Only Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-05077: Can Corporation of America** (326 June Avenue, Blandon, PA 19510-0170) on March 3, 2015, for their metal can manufacturing facility in located in Maiden Creek Township, **Berks County**. The State-only permit was administratively amended to incorporate the requirements of Plan Approval No. 06-05077B.

**07-05041: Core Label, LLC** (13985 S. Eagle Valley Road, Tyrone, PA 16686-7905) on March 4, 2015, for the flexible packaging printing facility located in Snyder Township, **Blair County**. The State-only permit was administratively amended to incorporate the requirements of Plan Approval No. 07-05041B.

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

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

**41-00059: Bimbo Bakeries USA, Inc.** (3375 Lycoming Creek Road Williamsport, PA 17701) on March 6, 2015, in accordance with the minor operating permit modification requirements of 25 Pa. Code Section 127.462, to incorporate a condition requiring the inlet temperature of catalytic oxidizer (Control Device C02) be at least 600 degrees Fahrenheit at the Williamsport Plant facility located Old Lycoming Township, **Lycoming County**.

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

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

**63-00488: Monongahela Valley Hospital** (1163 Country Club Road, Monongahela, PA 15063) located in Monongahela City, **Washington County**. The permittee has submitted an application for administrative amendment of its operating permit to revise the responsible official information.

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

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

**25-00035: Molded Fiberglass Company** (55 4th Avenue, Union City, PA 16438-1247). On March 3, 2015 issued an administrative amendment to the Title V Operating Permit to incorporate the change in responsible official for the facility located in Union City Borough, **Erie County**.



### De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

*Contact: Ronald Davis, New Source Review Chief—Telephone: 717-705-4702*

**67-05016: R. H. Sheppard Company, Inc.** (101 Philadelphia Street, Hanover, PA 17331). Pursuant to 25 Pa. Code § 127.449(i), this PA Bulletin Notice is for de minimis emissions increases of 0.11 TPY NO<sub>x</sub>, 0.09 TPY CO, 0.01 TPY PM<sub>10</sub>, 0.01 TPY PM<sub>2.5</sub>, and 0.01 TPY VOC resulting from the construction of a natural gas-fired endothermic gas generator having a maximum rated heat input capacity of 1.1 mmBTU/hr that is associated with the heat treat furnaces (Source ID 105) at Plant No. 1 located in Hanover Borough, **York County**. This is the second de minimis emissions increase at the facility during the term of the current operating permit.

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

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**32-00335: Nabors Completion & Production Services Co.** (1380 Route 286 Highway East, Suite 121, Indiana, PA 15701). Per 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at Nabors Completion & Production Services' Black Lick Plant located in Black Lick Township, **Indiana County**:

Two new hydrochloric acid storage tanks and associated unloading and loading operations controlled by an acid fume scrubber are included as this project's de minimis emission increase. Total emissions from this project will not exceed 0.1 ton of hydrochloric acid per year.

The list of de minimis increases for this facility includes only this project.

### 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*

**03061301 and NPDES No. PA0235687. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the TJS No. 6 Deep Mine

in Plumcreek Township, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on January 9, 2013. Application received: May 29, 2012. Permit issued: March 2, 2015.

**63981301 and NPDES No. PA0215171. Consolidation Coal Company**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506). To renew the permit for the Shoemaker Mine in West Finley Township, **Washington County** and related NPDES permit. No additional discharge. The application was considered administratively complete on December 11, 2013. Application received: October 9, 2013. Permit issued: March 5, 2015.

**17743702 and NPDES No. PA0215490. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Lady Jane Plant in Huston Township, **Clearfield County** and related NPDES permit to install two sludge disposal boreholes and related pipeline. Surface Acres Proposed 6.9. No additional discharges. The application was considered administratively complete on January 15, 2014. Application received November 6, 2013. Permit issued: March 5, 2015.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 56960105 and NPDES No. PA0234168. LK Mining, Inc.**, 323 Coalyard Road, Rockwood, PA 15557, permit renewal for reclamation only of a bituminous surface mine in Milford Township, **Somerset County** affecting 20.2 acres. Receiving stream: unnamed tributary to South Glade Creek, classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 20, 2014. Permit issued: March 3, 2015.

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

**17663037 and NPDES PA0611328. RES Coal LLC** (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Permit renewal for reclamation only of a bituminous surface mine in Decatur and Woodward Townships, **Clearfield County** affecting 405.5 acres. Receiving stream(s): Goss Run and Little Beaver Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 8, 2014. Permit issued: March 6, 2015.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**03090101 and NPDES Permit No. PA0251577. RES Coal, LLC** (224 Grange Hall Road, Armagh, PA 15920). Permit renewal issued for the three year not started status to an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 117.4 acres. Receiving streams: unnamed tributaries to Redbank Creek and Redbank Creek. Application received: June 23, 2014. Permit issued: March 6, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 54773215R6. Jeddo-Highland Coal Company**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite coal refuse reprocessing operation in Reilly and Foster Townships, **Schuylkill County** affecting 46.4 acres, receiving streams: Coal Run, Middle Creek and Gebhard Run. Application received: June 6, 2014. Renewal issued: March 6, 2015.

*Noncoal Permits Issued*

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

**17140803. Lee Coal Contracting, Inc.** (1395 German Road, P. O. Box 147, Drifting, PA 16834). Commencement, operation and restoration of a small industrial mineral (shale) operation in Cooper Township, **Clearfield County** affecting 11.4 acres. This is a downgrade from 10,000 tons per year to 2,000 tons per year. Receiving stream(s): Unnamed Tributary to Basin Run and Rolling Stone Run to West Branch of the Susquehanna River. Application received: December 30, 2014. Permit issued: March 2, 2015.

**17140803GP-104. Lee Coal Contracting, Inc.** (1395 German Road, P. O. Box 147, Drifting, PA 16834). General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit 17140803 in Cooper Township, **Clearfield County**. Receiving stream(s): Unnamed Tributary to Basin Run and Rolling Stone Run to West Branch of the Susquehanna River. Application received: December 30, 2014. Permit issued: March 2, 2015.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Issued*

*Pottsville District Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 36154105. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Louis Hurst dwelling in Ephrata Borough, **Lancaster County** with an expiration date of June 30, 2015. Permit issued: March 3, 2015.

**Permit No. 58154106. Meshoppen Blasting, Inc.,** (P.O. Box 127, Meshoppen, PA 18630), construction blasting for DTE Harmony Compressor Station in Harmony Township, **Susquehanna County** with an expiration date of February 23, 2016. Permit issued: March 3, 2015.

**Permit No. 09154105. Rock Work, Inc.,** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Leehurst Farm in Northampton Township, **Bucks County** with an expiration date of February 28, 2015. Permit issued: March 6, 2015.

**Permit No. 09154106. Rock Work, Inc.,** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Reeves Tract in Upper Makefield Township, **Bucks County** with an expiration date of March 31, 2016. Permit issued: March 6, 2015.

**Permit No. 36154106. Maine Drilling & Blasting, Inc.,** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Wildcat Raw Water in Fulton Township, **Lancaster County** with an expiration date of March 3, 2016. Permit issued: March 6, 2015.

**Permit No. 38154103. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Clear Springs Crossing in North Annville Township, **Lebanon County** with an expiration date of December 31, 2015. Permit issued: March 6, 2015.

## 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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E40-760. Edward Diaz,** 108 St. James Place, Brooklyn, NY 11238-1814. Foster Township, **Luzerne County,** Army Corps of Engineers Philadelphia District.

To construct and maintain a 6-ft wide, 10-ft long pile-supported aluminum dock in Ag-Mar Lake (HQ-CWF, MF) and to construct and maintain a 5-ft wide, 25-ft long wooden walking bridge crossing a de minimus area of wetlands (EV) less than 0.01 acre. The project is located approximately 0.2 mile south of the intersection of

Lakeside Road and Foster Avenue (White Haven, PA Quadrangle Latitude: 41°2'33"; Longitude: -75°47'26"). Subbasin: 2B.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E21-443: Michael L. Gayman and Dianna L. Gayman**, 480 McCullough Road, Shippensburg, PA 17257 in Southampton Township, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District

To install and maintain a single span bridge with a 27.0 foot span, 10.0 foot width and an average underclearance of 3.9 feet over Burd Run (CWF/MF) in Southampton Township, Cumberland County (Latitude: 40° 00' 30"; Longitude: -77° 27' 45"). The permit was issued on February 27, 2015.

**E36-929: Lancaster County Conservancy**, 117 South West End Avenue, Lancaster, PA 17608 in Martic Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District

To remove an existing structure and to install and maintain a 60.0-foot long, 6.0-foot wide wooden pedestrian bridge having an underclearance of 3.6 feet across Climbers Run (CWF, MF, Wild Trout) (Latitude 39°55'13.33", Longitude -76°17'46.20") in Martic Town-

ship, Lancaster County for the purpose of providing a safe path to connect a walking trail. No wetlands will be impacted by this project. The permit was issued on February 23, 2015.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E12-188. Enterprise TE Products Pipeline Company, LLC**, PO Box 4324, Houston, TX 77210-4324. Enterprise Products Operating P-40/Segment 696 Gas Transmission Inspection, Repair, Operation and Maintenance Project, Gibson and Grove Townships, **Cameron County**, ACOE Baltimore District (Driftwood, PA Quadrangle, Southwest Termini Latitude: 41° 15' 41.93" ; Longitude: -78° 14' 09.40" and Hammersley Fork, PA Quadrangle, Northeast Termini Latitude: 41° 25' 51.06"; Longitude -77° 59' 20.19").

An authorization giving consent to repair, operate and maintain 17.9-miles of the existing P-40/Segment 696 pipeline. Annual inspection, repair, modification, section replacement and maintenance activities along the existing gas transmission pipeline and within the 50-foot maintained right-of-way will require the following eighteen (18) wetland and/or stream encroachments at the given location:

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
17SA	Unnamed Tributary Laurel Run	Temporary Construction Access	41° 17' 38.87"	78° 10' 11.61"	2'	HQ, MF
39WA	Wetland	Temporary Construction Access	41° 17' 27.53"	78° 10' 38.43"	35'	Other
18WA	Wetland	Temporary Construction Access	41° 17' 48.44"	78° 09' 47.77"	23'	Other
18WB	Wetland	Temporary Construction Access	41° 17' 48.03"	78° 09' 48.81"	14'	Other
41SA	Unnamed Tributary Sinnemahoning Creek	Temporary Construction Access	41° 18' 56.43"	78° 07' 12.96"	2'	WWF
48SA	Joes Run	Temporary Construction Access	41° 23' 23.22"	78° 02' 21.55"	5'	EV, MF
51WA	Wetland	Pipeline Inspection & Maintenance (Dig #51)	41° 23' 42.63"	78° 01' 42.94"	22'	EV
52WA	Wetland	Temporary Construction Access	41° 23' 49.41"	78° 01' 23.22"	496'	EV
52SA	Unnamed Tributary First Fork	Temporary Construction Access	41° 23' 50.03"	78° 01' 21.47"	2'	EV, MF
52SB	Unnamed Tributary Woodcock Run	Temporary Construction Access	41° 23' 57.81"	78° 01' 04.22"	24'	EV, MF
52WB	Wetland	Temporary Construction Access	41° 23' 51.88"	78° 01' 17.63"	4'	EV
52WC	Wetland	Temporary Construction Access	41° 23' 54.27"	78° 01' 12.15"	100'	EV



<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
52SB	Woodcock Run	Temporary Construction Access	41° 23' 57.81"	78° 01' 04.22"	24'	EV, MF
53WA	Wetland	Temporary Construction Access	41° 24' 12.48"	78° 00' 32.39"	65'	EV
55SA	Unnamed Tributary Short Bend Run	Temporary Construction Access	41° 25' 13.72"	77° 59' 50.40"	12'	EV, MF
55WA	Wetland	Temporary Construction Access	41° 25' 07.89"	77° 59' 54.70"	115'	EV
55WB	Wetland	Temporary Construction Access	41° 25' 17.64"	77° 59' 47.95"	325'	EV
56WA	Wetland	Pipeline Inspection & Maintenance (Dig #56)	41° 25' 35.90"	77° 59' 35.85"	29'	EV

Any pipeline repair, modification or section replacement being conducted in-stream shall be performed in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around the section where activities are to be conducted. Since P-40 pipeline crossings of waterways within the county are streams sustaining wild trout fisheries, no present or future pipeline repair, modification, replacement or maintenance activity shall be conducted in-stream between October 1 and December 31 without prior written approval of the Pennsylvania Fish & Boat Commission. Enterprise P-40 pipeline is located along the northern and southern right-of-way of SR 0120 approximately 1.9-mile west of SR 0872 and SR 0120 intersection. Any new or additional watercourse and/or wetland impact to be incurred for future P-40 pipeline inspection repair or maintenance activity shall obtain prior written approval from the Department as an amendment to this authorization. Any amendment to this authorization shall be solely limited to the Enterprise P-40 pipeline and its 50-foot maintained right-of-way.

**E17-488. Enterprise TE Products Pipeline Company, LLC**, PO Box 4324, Houston, TX 77210-4324. Enterprise Products Operating P-40/Segment 697 Gas Transmission Inspection, Repair, Operation and Maintenance Project, Bell, Bloom, Brady, Girard, Goshen, Pine and Union Townships, **Clearfield County**, ACOE Baltimore District (Mc Gees Mills, PA Quadrangle, Southwest Termini Latitude: 41° 55' 42.04" ; Longitude: -78° 48' 16.35" and The Knobs, PA Quadrangle, Northeast Termini Latitude: 41° 13' 59.05"; Longitude -78° 17' 12.92").

An authorization giving consent to repair, operate and maintain 35.3-miles of the existing P-40/Segment 697 pipeline. Annual inspection, repair, modification, section replacement and maintenance activities along the existing gas transmission pipeline and within the 50-foot maintained right-of-way will require the following twenty-five (25) wetland and/or stream encroachments at the given location:

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
47WA	Wetland	Temporary Construction Access	40° 58' 54.95"	-78° 58.55"	56'	EV
47WA	Wetland	Pipeline Inspection & Repair (Dig # 47)	40° 58' 54.95"	-78° 58.55"	30'	EV
52SB	Unnamed Tributary Little Anderson Creek	Temporary Construction Access	41° 00' 24.36"	-78° 41' 05.04"	11'	CWF
52SC	Unnamed Tributary Little Anderson Creek	Temporary Construction Access	41° 00' 26.93"	-78° 34' 03.60"	10'	CWF
52WA	Wetland	Pipeline Inspection & Repair (Dig # 52 & #53)	41° 23' 49.48"	-78° 01' 23.27"	30'	Other
52WA	Wetland	Temporary Construction Access	41° 23' 49.48"	-78° 01' 23.27"	141'	Other
54WA	Wetland	Pipeline Inspection & Repair (Dig # 54)	41° 01' 35.35"	-78° 40' 12.68"	40'	Other
66SA	Unnamed Tributary Coupler Run	Temporary Construction Access	41° 05' 21.04"	-78° 34' 45.17"	15'	HQ-CWF, MF



<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
66SB	Coupler Run	Temporary Construction Access	41° 04' 51.01"	-78° 35' 20.48"	14'	HQ-CWF, MF
66WA	Wetland	Temporary Construction Access	41° 04' 59.40"	-78° 35' 08.98"	184'	EV
97SA	Unnamed Tributary Irish Run	Temporary Construction Access	41° 58' 55.02"	-78° 42' 58.44"	3'	CWF,MF
97SB	Unnamed Tributary Irish Run	Temporary Construction Access	41° 58' 55.70"	-78° 42' 57.49"	3'	CWF, MF
103WA	Wetland	Temporary Construction Access	41° 07' 39.34"	-78° 32' 16.16"	167'	EV
103WA	Wetland	Pipeline Inspection & Repair (Dig #103)	41° 07' 39.34"	-78° 32' 16.16"	30'	EV
104SA	Unnamed Tributary Lick Run	Temporary Construction Access	41° 08' 08.32"	-78° 30' 24.54"	2'	HQ-CWF, MF
104WA	Wetland	Temporary Construction Access	41° 08' 08.30"	-78° 30' 24.78"	55'	EV
104 WA	Wetland	Pipeline Inspection & Repair (Dig #104)	41° 08' 08.30"	-78° 30' 24.78"	30'	EV
107SA	Trout Run	Pipeline Inspection & Repair (Dig #107)	41° 10' 30.62"	-78° 24' 27.54"	30'	HQ-CWF, MF
107SB	Trout Run	Temporary Construction Access	41° 10' 31.05"	-78° 24' 26.78"	74'	HQ-CWF, MF
107SC	Unnamed Tributary Trout Run	Temporary Construction Access	41° 11' 00.97"	-78° 23' 34.10"	6'	HQ-CWF, MF
107WA	Wetland	Temporary Construction Access	41° 11' 01.06"	-78° 23' 33.94"	292'	EV
109WA	Wetland	Pipeline Inspection & Repair (Dig #109)	41° 12' 44.15"	-78° 19' 40.19"	40'	EV
110WA	Wetland	Temporary Construction Access	41° 13' 53.70"	-78° 17' 21.71"	741'	EV
110WA	Wetland	Pipeline Inspection & Repair (Dig #83)	41° 13' 55.20"	-78° 17' 19.74"	30'	EV
110WA	Wetland	Pipeline Inspection & Repair (Dig #110)	41° 13' 59.70"	-78° 17' 12.30"	40'	EV

Any pipeline repair, modification or section replacement being conducted in-stream shall be performed in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around the section where activities are to be conducted. In-stream inspection, repair, replacement or maintenance activities on P-40 pipeline shall not be conducted in any Clearfield County wild trout stream between October 1 and December 31 without prior written approval of the Pennsylvania Fish & Boat Commission. Enterprise P-40 Pipeline is located along the northern and southern right-of-ways of SR 0080 (Interstate 80) approximately 1-mile west of Exit 111. Any new or additional watercourse and/or wetland impacts to be incurred for future P-40 pipeline inspection, repair or maintenance activity shall obtain prior written approval from the Department as an amendment to this authorization. Any amendment to this authorization shall be solely limited to the Enterprise P-40 pipeline and its 50-foot right-of-way.

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335.*

**E20-591A, City of Titusville**, 107 N Franklin Street, Titusville, PA 16354. Titusville Sewage Treatment Plant Upgrades, Phase 3 in Titusville, **Crawford County**, ACOE Pittsburgh District (Titusville South, PA Quadrangle N: 41°, 37', 23"; W: -79°, 39', 19";).

To place fill in a 2,100 ft<sup>2</sup> (0.048 ac) area adjacent to the Operations Building, that is within the 100-year flood plain of Oil Creek, to provide sufficient cover for a 24-inch force main.

## ENVIRONMENTAL ASSESSMENTS

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**EA10-050, PMF Rentals**, 124 Plunkett Drive, Zelienople PA 16063. PMF Rentals-Tomlinson Drive, in Jackson Twp, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40°, 45', 22.68"; W: 80°, 06', 36.50").

Applicant proposes the restoration of 2,234 feet of tributaries to Likens Run under Chapter 105 Waiver 16. Restoration measures include high bank grading and stabilization, toe and bank stabilization, low bank grading and installation of coir mats and logs, invasive species removal and native plantings, and protection of the area through a conservation easement.

*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*

**D39-077EA. Brian Costenbader**, Vice President Logistics, Essroc Corporation, 3251 Bath Pike, Nazareth, PA 18064. Mayor Edward D. Hozza Jr., Whitehall Township, 3219 MacArthur Road, Whitehall, PA 18052. Whitehall Township, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Egypt Plant Dam for the purposes of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The dam is located across Coplay Creek (CWF, MF) (Cementon, PA Quadrangle, Latitude: 40.6730; Longitude: -75.5364).

**D39-078EA. Brian Costenbader, Vice President Logistics, Essroc Corporation**, 3251 Bath Pike, Nazareth, PA 18064. Whitehall Township, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Egypt Quarry Dam for the purposes of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The dam is located across Coplay Creek (CWF, MF) (Cementon, PA Quadrangle, Latitude: 40.6775; Longitude: -75.5253).

**D64-067EA. Mr. John Cullen**, 527 Parkview Avenue, Westfield, NJ 07090. Damascus Township, **Wayne County**, USACOE Philadelphia District.

Project proposes to breach Tyler Hill Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The dam is located across Sunny Brook (HQ-CWF, MF) (Damascus, PA Quadrangle, Latitude: 41.6907; Longitude: -75.1135).

## DAM SAFETY

*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*

**D65-150. Winthrop Corporation**, P.O. Box 196, Connelville, PA 15425. To modify, operate, and maintain the West Newton Coal Logistics Refuse Embankment located in the watershed of the Youghiogheny River (WWF), for the purpose of eliminating public health and safety hazards associated with surface Abandoned Mine Land including the unstable embankments of the coal refuse spoil pile. (Donora, PA Quadrangle N: 12 inches; W: 15 inches) in Rostraver Township, **Westmoreland County**.

## EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESX06-065-0003—Lott Pad Renewal  
Applicant EXCO Resources (PA), LLC  
Contact Brian Rushe  
Address 260 Executive Drive, Suite 100  
City Cranberry Township State PA Zip Code 16066  
County Jefferson Township(s) Henderson(s)  
Receiving Stream(s) and Classification(s) Stump Creek  
CWF, UNT Beaver Run HQ-CWF, Mahoning Creek  
WWF, Beaver Run HQ-CWF

ESCGP-2 #ESG14-019-0070—Pajer Compressor Site and Harvey to Pajer Meter Pipeline  
Applicant Mountain Gathering LLC  
Contact Dewey Chalos  
Address 810 Houston Street  
City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Buffalo Township  
Receiving Stream(s) and Classification(s) UNT to McDowell Run (TSF) and UNT to Little Bull Creek (TSF)/Bull Creek Watershed

ESCGP-2 #ESX15-065-0001  
Applicant EQT Gathering LLC  
Contact Brian Clauto  
Address 455 Racetrack Road  
City Washington State PA Zip Code 15301  
County Jefferson Township(s) Snyder and Washington Townships  
Receiving Stream(s) and Classification(s) UNT Rattlesnake Run (western drainage), UNT Rattlesnake Creek (eastern drainage)/Little Toby Creek Watershed

ESCGP-2 #ESG14-083-0011  
Applicant NFG Midstream Clermont LLC  
Contact Duane Wassum  
Address 6363 Main Street  
City Williamsport State NY Zip Code 14221

County McKean Township(s) Norwich and Sergeant(s) Receiving Stream(s) and Classification(s) Murdock Branch (CWF); South Form West Branch Potato Creek (HQ-CWF); West Fork West Branch Potato Creek (HQ-CWF)/Potato-Oswago Creeks Watershed; Elk Fork (EV)/Sinnemahoning Creek Watershed.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESG29-131-14-0016  
Applicant Name Southwestern Energy Production Co  
Contact Person Jeff Whitehair  
Address 917 SR 92 N  
City, State, Zip Tunkhannock, PA 18657  
County Wyoming  
Township(s) Eaton & Mehoopany  
Receiving Stream(s) and Classification(s) Sugar Hollow Creek (HQ-CWF/MF, NRT) Susquehanna River (WWF/MF)  
Secondary—Bowman Creek (HQ-CWF/MF, NRT)

ESCGP-2 # ESG29-081-15-0003  
Applicant Name Regency Marcellus Gas Gathering LLC  
Contact Person Kevin Roberts  
Address 101 W Third St  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Eldred  
Receiving Stream(s) and Classification(s) UNT to Mill Creek (TSF, MF) Mill Creek (TSF, MF)  
Secondary—Loyalsock Creek (EV)

ESCGP-2 # ESX10-015-0133(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Litchfield  
Receiving Stream(s) and Classification(s) UNT to Bullard Creek, Trib to Wysox Creek (CWF, MF)  
Secondary—Wysox Creek (CWF, MF)

ESCGP-2 # ESG29-081-15-0002  
Applicant Name Regency Marcellus Gas Gathering LLC  
Contact Person Kevin Roberts  
Address 101 W Third St  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Cogan House  
Receiving Stream(s) and Classification(s) Packhorse Creek-EV  
Secondary—Steam Valley Run (EV)

ESCGP-2 # ESX09-015-0075(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Tuscarora  
Receiving Stream(s) and Classification(s) Surface Drainage to UNT to Mill Creek (CWF, MF) Surface Drainage to Mill Creek (CWF, MF)  
Secondary—Mill Creek (CWF, MF) Tuscarora Creek (CWF, MF)

ESCGP-2 # ESG29-115-15-0012  
Applicant Name Southwestern Energy Production Co  
Contact Person Jeff Whitehair  
Address 917 SR 92 N  
City, State, Zip Tunkhannock, PA 18657  
County Wyoming

Township(s) Great Bend  
Receiving Stream(s) and Classification(s) UNT  
Susquehanna River-Other (CWF, MF)  
Secondary—Susquehanna River

ESCGP-2 # ESX29-131-15-0002  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 400 1st Center, Suite 404  
City, State, Zip Horseheads, NY 14845-1015  
County Wyoming  
Township(s) Braintrim  
Receiving Stream(s) and Classification(s) Trib 29461 to Susquehanna River; Trib 29462 to Susquehanna River; Trib 64315 to Black Walnut Creek; Watersheds-Susquehanna River, Black Walnut Creek (Other-CWF)  
Secondary—Susquehanna River; Black Walnut Creek

ESCGP-2 # ESX29-027-15-0001  
Applicant Name Anadarko Marcellus Midstream LLC  
Contact Person Rane Wilson  
Address 33 W Third St, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Centre  
Township(s) Boggs  
Receiving Stream(s) and Classification(s) UNT Council Run (CWF, MF); Siltation-impaired  
Secondary—Council Run (CWF, MF)

ESCGP-2 # ESX10-015-0057(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Herrick  
Receiving Stream(s) and Classification(s) Unnamed Trib to Billings Creek, Trib to Wyalusing Creek (WWF, MF)  
Secondary—Billings Creek, Trib to Wyalusing Creek (WWF, MF)

ESCGP-2 # ESX10-131-0003(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Wyoming  
Township(s) Windham  
Receiving Stream(s) and Classification(s) Surface Drainage to Little Mehoopany Creek (CWF, MF)  
Secondary—Susquehanna River (WWF, MF)

ESCGP-2 # ESX29-115-15-0005  
Applicant Name Williams Field Services Co LLC  
Contact Person Lauren Miladinovich  
Address Park Place Corporate Ctr 2, 2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna  
Township(s) Gibson & Jackson  
Receiving Stream(s) and Classification(s) Tunkhannock Creek; Trib 29215, 29216, & 29218 to Tunkhannock Creek (CWF, MF)  
Secondary—Susquehanna River

ESCGP-2 # ESX10-015-0025(01)  
Applicant Name Chief Oil & Gas LLC  
Contact Person Jeffrey Deegan  
Address 6051 Wallace Road Ext, Suite 300  
City, State, Zip Wexford, PA 15090  
County Bradford  
Township(s) Monroe



Receiving Stream(s) and Classification(s) Unnamed Trib  
to Ellis Creek (WWF)  
Secondary—Bennetts Creek (WWF)

ESCGP-2 # ESG29-081-15-0004  
Applicant Name Range Resources Appalachia LLC  
Contact Person Brad Grandstaff  
Address 100 Throckmorton St, Suite 1200  
City, State, Zip Ft Worth, TX 76102  
County Lycoming  
Township(s) Jackson & Cogan House  
Receiving Stream(s) and Classification(s) Packhorse  
Creek-EV, CWF  
Secondary—Steam Valley Run

*Southwest Region: Oil & Gas Program Mgr. 400 Water-  
front Dr., Pittsburgh, PA*

ESCGP-2 No: ESG14-059-0030  
Applicant Name: PA Land Resources LLC DBA PL Re-  
sources LLC  
Contact Person Nick Mongelluzzo  
Address: PO Box 247  
City: Waynesburg State: PA Zip Code: 15370  
County: Greene Township: Center  
Receiving Stream (s) and Classifications: Maple Run  
HQ-WWF/South Fork Tenmile Creek; Pursley Creek  
HQ-WWF/South Fork Tenmile Creek; HQ; Other WWF

ESCGP-2 No.: ESG14-125-0077  
Applicant Name: MarkWest Liberty Midstream & Re-  
sources LLC  
Contact Person: Rick Lowry  
Address: 4600 J Barry Court Suite 500  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Amwell and South  
Strabane  
Receiving Stream(s) and Classifications: UNT to Little  
Chartiers Creek, Chartiers Creek Watershed and Redd  
Run, Tenmile Creek Watershed; HQ; Other High Qual-  
ity Warm Water Fishes HQ-WWF; Trout Stocked Fishes  
(TSF)

ESCGP-2 No.: ESG14-059-0076  
Applicant Name: CNX Gas Company LLC  
Contact Person: Sarah Baughman  
Address: 1000 Consol Energy Drive  
City: Canonsburg State: PA Zip Code: 15317  
County: Greene Township(s): Center  
Receiving Stream(s) and Classifications: Jacobs Run &  
UNT to Claylick Run; HQ; Other Warm Water Fishes

ESCGP-2 No.: ESX15-007-0001  
Applicant Name: Cardinal PA Midstream LLC  
Contact Person: Tommy D Baskin  
Address: 8150 North Central Expressway Suite 1725  
City: Dallas State: TX Zip Code: 75206  
County: Beaver Township(s): New Sewickley  
Receiving Stream(s) and Classifications: UNT to Brush  
Creek; Other Warm Water Fishes

ESCGP-2 No.: ESG14-059-0078  
Applicant Name: Rice Poseidon Midstream LLC  
Contact Person: Kyle A Shirey  
Address: 400 Woodcliff Drive  
City: Canonsburg State: PA Zip Code: 15317  
COUNTY Greene Township(s): Center, Gray, Richhill  
Receiving Stream(s) and Classifications: UNT1, UNT2,  
UNT3, UNT4, UNT6, Jacobs Run; Tributaries to South  
Fork Tenmile Creek (Includes Grays Fork, Claylick  
Run); UNT7, UNT8, Whitethorn Run, UNT9, UNT10,  
Tributaries to North Fork Dunkard Fork; HQ; Other  
WWF, TSF

ESCGP-2 No.: ESX14-059-0098  
Applicant Name: EQM Gathering OPCO LLC  
Contact Person: Adam E Tobia  
Address: 625 Liberty Avenue Suite 1700  
City: Pittsburgh State: PA Zip Code: 15222  
County: Greene Township(s): Morgan  
Receiving Stream(s) and Classifications: Receiving Wa-  
ters: UNTs to Poverty Run, Poverty Run and UNT to  
Ruff Creek; Watersheds; Poverty Run and Ruff Creek;  
Other WWF

ESCGP-2 No.: ESX14-005-0012  
Applicant Name: Chevron Appalachia LLC  
Contact Person: Jeremy Hirtz  
Address: 800 Mountain View Drive  
City: Smithfield State: PA Zip Code 15478  
County: Armstrong Township(s): South Bend  
Receiving Stream(s) and Classifications: UNT to Big Run  
(CWF); Other CWF

ESCGP-2 No.: ESG14-059-0048  
Applicant Name: EQT Production Company  
Contact Person: Todd Klaner  
Address: 455 Racetrack Road  
City: Washington State: PA Zip Code: 15301  
County: Greene Township(s): Washington  
Receiving Stream(s) and Classifications: UNT to Pettit  
Run and Garners Run; HQ

## SPECIAL NOTICES

### Minor State Only Operating Permit

*Philadelphia: Air Management Services, 321 University  
Avenue, Philadelphia, PA. 19104-4543, Contact: Edward  
Wiener, Chief of Source Registration at 215 685 9426.*

The City of Philadelphia, Air Management Services  
(AMS) has intent to renew a Minor State Only Operating  
Permit for the following facility:

**S14-014: General Services Administration William  
J. Green Jr. Federal Building.** (600 Arch Street,  
Philadelphia, PA 19106) for the operation of a federal  
building in the City of Philadelphia, **Philadelphia  
County**. The synthetic minor emission sources include  
three (3) 16.329 MMBTU/hr boilers that burn natural gas  
and No. 2 fuel oil, three (3) 118 HP hot water heaters  
that burns natural gas, one (1) 746 kW and one (1) 175  
kW emergency diesel generator and one (1) 650 hp  
natural gas emergency generator.

The operating permit will be issued under the Pennsyl-  
vania Code Title 25, Philadelphia Code Title 3 and Air  
Management Regulation XIII. Permit copies and other  
supporting information are available for public inspection  
at AMS, 321 University Avenue, Philadelphia, PA 19104.  
For further information, contact Edward Wiener at (215)  
685-9426.

Persons wishing to file protest or comments on the  
above operating permit must submit the protest or com-  
ments 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.

[Pa.B. Doc. No. 15-513. Filed for public inspection March 20, 2015, 9:00 a.m.]



### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](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.

#### *Interim Final Technical Guidance Documents*

**DEP ID:** 310-2135-002. **Title:** Riparian Buffer or Riparian Forest Buffer Equivalency Demonstration. **Description:** This interim final technical guidance document outlines the equivalency demonstration criteria and process related to the riparian buffer or riparian forest buffer equivalency demonstration required by the act of October 22, 2014 (P.L. 2600, No. 162) (Act 162). This technical guidance document applies to applicants for individual National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges associated with construction activities who proceed under section 402(c)(1)(ii) of The Clean Streams Law (act) (35 P.S. § 691.402(c)(1)(ii)) in utilizing alternatives to riparian buffer Best Management Practices to address runoff from their project.

**Written Comments:** Interested persons may submit written comments on this interim final technical guidance document by May 20, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Jennifer Orr, Department of Environmental Protection, Bureau of Waterways Engineering and Wetlands, Division of NPDES Construction and Erosion Control, Rachel Carson State Office Building, P.O. Box 8460, Harrisburg, PA 17105-8460, [ep-102regulations@pa.gov](mailto:ep-102regulations@pa.gov).

**Contact:** Jennifer Orr, (717) 787-3411, [ep-102regulations@pa.gov](mailto:ep-102regulations@pa.gov).

**Effective Date:** March 21, 2015

**DEP ID:** 310-2135-003. **Title:** Riparian Buffer or Riparian Buffer Offsetting. **Description:** This interim final technical guidance document outlines the offsetting criteria and process related to the riparian buffer or riparian forest buffer offsetting required by Act 162. This technical guidance document applies to applicants for individual

NPDES permits for stormwater discharges associated with construction activities who are required to proceed under section 402(c)(2) of the act.

**Written Comments:** Interested persons may submit written comments on this interim final technical guidance document by May 20, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Jennifer Orr, Department of Environmental Protection, Bureau of Waterways Engineering and Wetlands, Division of NPDES Construction and Erosion Control, Rachel Carson State Office Building, P.O. Box 8460, Harrisburg, PA 17105-8460, [ep-102regulations@pa.gov](mailto:ep-102regulations@pa.gov).

**Contact:** Jennifer Orr, (717) 787-3411, [ep-102regulations@pa.gov](mailto:ep-102regulations@pa.gov).

**Effective Date:** March 21, 2015

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-514. Filed for public inspection March 20, 2015, 9:00 a.m.]

### Extension of the General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08).

The existing PAG-08 in effect at this time will expire on April 2, 2015. By this notice, the Department is administratively extending the PAG-08 General Permit to April 2, 2016. Persons that are operating under the PAG-08 General Permit may continue to operate until April 2, 2016, or the expiration date of coverage identified on the permit coverage approval page, whichever is later. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-08 General Permit.

The General Permit and related documents are available on the Department's eLibrary at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (Select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "Biosolids," then "General Permits," then "PAG-08").

Questions regarding the PAG-08 General Permit for Beneficial Use of Biosolids by Land Application should be directed to Andrew Gaul, (717) 787-8184, [agaul@pa.gov](mailto:agaul@pa.gov).

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-515. Filed for public inspection March 20, 2015, 9:00 a.m.]

### **Extension of the General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07)**

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07).

The existing PAG-07 in effect at this time will expire on April 2, 2015. By this notice, the Department is administratively extending the PAG-07 General Permit to April 2, 2016. Persons that are operating under the PAG-07 General Permit may continue to operate until April 2, 2016, or the expiration date of coverage identified on the permit coverage approval page, whichever is later. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-07 General Permit.

The General Permit and related documents are available on the Department's eLibrary at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (Select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "Biosolids," then "General Permits," then "PAG-07").

Questions regarding the PAG-07 General Permit for Beneficial Use of Biosolids by Land Application should be directed to Andrew Gaul, (717) 787-8184, [agaul@pa.gov](mailto:agaul@pa.gov).

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-516. Filed for public inspection March 20, 2015, 9:00 a.m.]

### **Extension of the General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09)**

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09).

The existing PAG-09 in effect at this time will expire on April 2, 2015. By this notice, the Department is administratively extending the PAG-09 General Permit to April 2, 2016. Persons that are operating under the PAG-09 General Permit may continue to operate until April 2, 2016, or the expiration date of coverage identified on the permit coverage approval page, whichever is later. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-09 General Permit.

The General Permit and related documents are available on the Department's eLibrary at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (Select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "Biosolids," then "General Permits," then "PAG-09").

Questions regarding the PAG-09 General Permit for Beneficial Use of Biosolids by Land Application should be directed to Andrew Gaul, (717) 787-8184, [agaul@pa.gov](mailto:agaul@pa.gov).

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-517. Filed for public inspection March 20, 2015, 9:00 a.m.]

### **Interstate Pollution Transport Reduction; Proposed 2015 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units**

The Department of Environmental Protection (Department) is providing notice and an opportunity for comment concerning the proposed Nonelectric Generating Unit (non-EGU) 2015 Ozone Season Nitrogen Oxide (NO<sub>x</sub>) emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO<sub>x</sub> trading programs). The 15-day public comment period will end on April 5, 2015.

Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NO<sub>x</sub> Trading Program budget of 3,619 tons of NO<sub>x</sub>, less a specified adjustment amount, to serve as a Statewide Ozone Season NO<sub>x</sub> emissions cap for new and existing non-EGUs. This NO<sub>x</sub> emissions cap also applies to Clean Air Interstate Rule-exempt EGUs that are subject to the NO<sub>x</sub> Budget Trading Program. If total emissions from all of the units exceed the Statewide NO<sub>x</sub> emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NO<sub>x</sub> emission limitations established under 25 Pa. Code § 145.8(d). The proposed NO<sub>x</sub> emissions limitations for individual units ensure that non-EGUs in this Commonwealth continue to meet the emission limits of the NO<sub>x</sub> Budget Trading Program.

The Statewide cap for 2014 was not exceeded. Therefore, non-EGUs do not need to purchase allowances to meet their 2014 Ozone Season NO<sub>x</sub> emission limitations established under 25 Pa. Code § 145.8(d). The preliminary NO<sub>x</sub> emissions for the 2014 Ozone Season (May through September) reported to the United States Environmental Protection Agency by the owners and operators of the affected non-EGUs are 1,493.431 tons. The Department's permanent retirement of 3,438 allowances under 25 Pa. Code § 145.8(b) covers all the NO<sub>x</sub> emissions from the affected non-EGUs in 2014.

The NO<sub>x</sub> emissions cap provides 181 tons of NO<sub>x</sub> emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NO<sub>x</sub> Budget Trading Program; emissions from these units were below the 25-ton exemption threshold. Adjustments were also made for the permanent retirement of NO<sub>x</sub> allowances due to generation of emission reduction credits. The Department will also use a portion of the 181 tons of the budgeted NO<sub>x</sub> emissions, if necessary, to

address mistakes or miscalculations. This year, the Department is proposing to use 71 tons of the 181 tons of NO<sub>x</sub> for account adjustments, leaving 110 tons available for any additional adjustments at the end of the control period.

The Department made accounting adjustments for the following facilities:

*Retired Units:* Naval Surface Warfare Division Unit 98; Shenango Units Nos. 6 and 9 (the generation of emission offsets for small non-NO<sub>x</sub> Budget Trading Program units resulted in a permanent NO<sub>x</sub> accounting adjustment of 45 tons).

*Exempt Units:* The Naval Surface Warfare Division (Unit 100) has a 25-ton NO<sub>x</sub> permit limit. The Naval Surface Warfare Division (Unit 99) has a 1-ton NO<sub>x</sub> permit limit. These two exempt status units account for a total adjustment of 26 tons of NO<sub>x</sub> emissions.

*Change in Status Units:* Entrioken Compressor Station (Unit 31601) had previously operated under a 25-ton exemption, but was authorized by a plan approval (31-05019A) issued December 30, 2013, extended April 11, 2014, and has another extension pending, to remove the exemption upon start-up of the Continuous Emission Monitoring System (CEMS). Armagh Compressor Station (Unit 31301) had previously operated under a 25-ton exemption, but was authorized by a plan approval (32-

00230B) issued April 2, 2014, and modified December 16, 2014, to remove the exemption upon start-up of the CEMS. The Entrioken and Armaugh units listed no longer fall into the exempt units category, subjecting both units to the NO<sub>x</sub> Budget requirements in 25 Pa. Code Chapter 145 (relating to interstate pollution transport reduction).

The "Proposed Non-EGU 2015 Ozone Season NO<sub>x</sub> Emission Limits" table lists the following: the facility name; ORIS code; the unit ID for each non-EGU unit; the operating year; the heat input for the 2014 Ozone Season; the calculated 2015 rate; and the 2015 Ozone Season limit.

Interested persons may submit comments on the proposed non-EGU 2015 Ozone Season NO<sub>x</sub> Emission Limits by April 5, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name, affiliation (if any), address and telephone number, and contain "proposed non-EGU 2015 Ozone Season NO<sub>x</sub> emission limits" in the subject line. Written comments should be submitted to Randy Bordner, Department of Environmental Protection, Air Resource Management Division, Bureau of Air Quality, Air Resources Management Division, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, [ranbordner@pa.gov](mailto:ranbordner@pa.gov).

Questions concerning this notice should be directed to Randy Bordner, (717) 772-3921, [ranbordner@pa.gov](mailto:ranbordner@pa.gov).

**Table 1: Preliminary Non-EGU 2015 Ozone Season NO<sub>x</sub> Emission Limits**

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>2014 NO<sub>x</sub> Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2015 Rate (lbs/MMBtu)</i>	<i>2015 OS Limit (Tons NO<sub>x</sub>)</i>
Armagh Compressor Station	880071	31301	0	0	-	Indiana	0.252	0
Bernville Station	880049	32001	0	0	-	Berks	0.252	0
Domtar Paper Company, LLC	54638	40	0.347	145.99	859,679.62	Elk	0.252	108
Domtar Paper Company, LLC	54638	41	0.347	149.26	868,483.37	Elk	0.252	109
Entrioken Compressor Station	880072	31601	0	0	-	Huntingdon	0.252	0
FPL Energy MH50	50074	1	1.2438	0.835	2,288.30	Delaware	0.252	0
FPL Energy Marcus Hook, LP	55801	AB01	0	0	-	Delaware	0.252	0
FPL Energy Marcus Hook, LP	55801	AB02	0	0	-	Delaware	0.252	0
FPL Energy Marcus Hook, LP	55801	AB03	0.0195	6.557	668,219.69	Delaware	0.252	84
FPL Energy Marcus Hook, LP	55801	AB04	0.0205	2.333	224,823.64	Delaware	0.252	28
Honeywell Resins & Chemicals LLC	880007	52	0.0799	34.101	853,334.84	Philadelphia	0.252	107
Kimberly-Clark Tissue Company	50410	34	1.5012	3.342	4,452.90	Delaware	0.252	1
Kimberly-Clark Tissue Company	50410	35	0.0713	86.222	2,430,975.15	Delaware	0.252	306
Martins Creek	3148	aux 4	0	0	-	0	0.000	0
Merck & Company—West Point	52149	39	0.0803	14.957	373,150.09	Montgomery	0.252	47

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>2014 NO<sub>x</sub> Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2015 Rate (lbs/MMBtu)</i>	<i>2015 OS Limit (Tons NO<sub>x</sub>)</i>
Merck & Company— West Point	52149	40	0.0241	18.962	1,567,325.18	Montgomery	0.252	197
Naval Surface Warfare Division	880009	98	0	0	retired	0	0.000	0
Naval Surface Warfare Division	880009	99	0	0	25 ton exemption (limit 1 ton)	0	0.000	0
Naval Surface Warfare Division	880009	100	0	0	25 ton exemption (limit 25 ton)	0	0.000	0
P H Glatfelter Company	50397	34	0.4768	252.142	1,053,554.45	York	0.252	133
P H Glatfelter Company	50397	35	0.4718	172.695	734,537.38	York	0.252	92
P H Glatfelter Company	50397	36	0.1583	123.675	1,519,612.70	York	0.252	191
Philadelphia Refinery	52106	150137	0.0377	24.557	1,300,818.83	Philadelphia	0.252	164
Philadelphia Refinery	52106	150138	0	0	-	Philadelphia	0.252	0
Philadelphia Refinery	52106	150139	0.038	25.098	1,313,886.44	Philadelphia	0.252	165
Philadelphia Refinery	52106	150140	0.038	28.764	1,525,432.00	Philadelphia	0.252	192
Procter & Gamble Paper Products	50463	328001	0.1519	141.614	1,873,515.84	Wyoming	0.252	236
Procter & Gamble Paper Products	50463	328002	0.0136	9.376	1,951,116.54	Wyoming	0.252	246
Shenango Incorporated	54532	6	0	0	retired	0	0.000	0
Shenango Incorporated	54532	9	0	0	retired	0	0.000	0
Shermans Dale Station	880050	31801	0.7	0.096	274.00	Perry	0.252	0
Trainer Refinery	880025	33	0	0	-	Delaware	0.252	0
Trainer Refinery	880025	34	0.0041	1.677	814,013.70	Delaware	0.252	102
Trainer Refinery	880025	35	0.0036	1.475	811,786.40	Delaware	0.252	102
US Steel (Clairton Coke)	50729	CLBLR1	0.1519	106.777	1,368,801.79	Allegheny	0.252	172
US Steel (Clairton Coke)	50729	CLBLR2	0.1101	68.541	1,136,369.11	Allegheny	0.252	143
US Steel (Edgar Thomson)	50732	ETBLR1	0.0314	20.283	1,335,462.98	Allegheny	0.252	168
US Steel (Edgar Thomson)	50732	ETBLR2	0.0346	18.012	1,061,411.04	Allegheny	0.252	134
US Steel (Edgar Thomson)	50732	ETBLR3	0.0321	16.537	1,050,450.51	Allegheny	0.252	132
Veolia Energy Philadelphia— Edison Sta	880006	1	0.3147	0.394	2,510.60	Philadelphia	0.252	0
Veolia Energy Philadelphia— Edison Sta	880006	2	0.4198	0.773	4,357.70	Philadelphia	0.252	1



<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>2014 NO<sub>x</sub> Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2015 Rate (lbs/MMBtu)</i>	<i>2015 OS Limit (Tons NO<sub>x</sub>)</i>
Veolia Energy Philadelphia—Edison Sta	880006	3	0.365	0.268	1,841.30	Philadelphia	0.252	0
Veolia Energy Philadelphia—Edison Sta	880006	4	0	0	-	Philadelphia	0.252	0
Veolia Energy Philadelphia—Schuylkill	50607	RSB1	0.0117	0.389	69,162.80	Philadelphia	0.252	9
Veolia Energy Philadelphia—Schuylkill	50607	RSB2	0.0142	0.449	66,067.68	Philadelphia	0.252	8
United Refining	880099	4	0.075	17.28	480,477.60	Warren	0.252	61
			<i>Total</i>	<i>1,493.431</i>				<i>3438</i>

JOHN QUIGLEY,  
Acting Secretary

[Pa.B. Doc. No. 15-518. Filed for public inspection March 20, 2015, 9:00 a.m.]

### Public Notice of the Draft NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10)

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10). The draft General Permit and related documents are available on the Department's eLibrary at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (Select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "National Pollutant Discharge Elimination System—NPDES," then "General Permits," then "PAG-10 (Draft)").

PAG-10 is intended to provide NPDES permit coverage to those who wish to conduct hydrostatic testing and discharge the water used for this testing to waters of the Commonwealth that are not considered high quality or exceptional value. The existing PAG-10 currently in effect has been administratively extended and will expire on December 20, 2015. The Department is proposing to reissue a final PAG-10 on or before that date.

The draft PAG-10 includes the following proposed significant changes in comparison to the existing PAG-10:

- When covered by the PAG-10, a permittee would not need to submit a Notice of Intent (NOI) for renewal of coverage unless requested by the Department. This determination was based on the expected short-term nature of hydrostatic test water discharges, the expected volume of the discharges and the low potential for toxic or conventional pollutants in the discharges.

- A new requirement for an annual report to be submitted by March 1, 2015, the annual report will serve as notice to the Department as to whether the permittee wishes to continue operating under the PAG-10 or wishes termination of permit coverage.

- The permit language has been updated to conform to 25 Pa. Code Chapter 92a (relating to National Pollutant Discharge Elimination System Permitting, Monitoring and Compliance).

- Clarification has been introduced that PAG-10 may be used for hydrostatic test water discharges from any tank or pipeline, regardless of the proposed or existing contents.

- The Department proposes to reduce monitoring frequency from 2/dischARGE to 1/dischARGE for a number of parameters.

- Effluent limits for polychlorinated biphenyls (PCB) would be removed due to the Department's finding that PCBs would not normally be expected in these discharges. The parameter "Total Volume Discharged" would be added for reporting purposes. Average monthly effluent limitations would be introduced for total suspended solids, oil and grease and total residual chlorine. In addition, PAG-10 would require that the permittee monitor and report concentrations of other parameters not identified in the General Permit and report results in an annual report, if deemed appropriate by the Department.

- The existing "Amendment of NOI" form that is used to notify the Department at least 15 days in advance of changes to the location of hydrostatic test water discharges has been modified and renamed to the 15-Day Notification Form. In addition, the Department is proposing to remove the requirement that a copy of the notice be sent to the Fish and Boat Commission.

- Permittees with PAG-10 coverage would need to submit monitoring results to the Department electronically if required by the Department in writing.

The proposed NOI fee for coverage under PAG-10 is \$500 per each year the permittee operates under the General Permit. The NOI fee will be paid in installments, with the initial fee of \$500 submitted with the NOI for permit coverage and an installment of \$500 to be submitted with the annual report, if the permittee does not wish to terminate permit coverage. The Department anticipates that after coverage under PAG-10 is authorized, coverage will continue without the need to submit an NOI for renewal of coverage as long as the PAG-10 General Permit is renewed, unless the Department specifically requires the submission of an NOI in writing.

The Department is seeking comments on the draft PAG-10 General Permit (3800-PM-BPNPSM0173) and accompanying documents for a period of 30 days. Interested persons may submit written comments by April 20, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Andrew Gaul, PE, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774, agaul@pa.gov. The Department will provide an opportunity for any interested person or group of persons, any affected state, any affected interstate agency, the United States Environmental Protection Agency or any interested agency to request or petition for a public hearing with respect to the proposed PAG-10 General Permit. The request or petition for public hearing, which must be filed within the 30-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

Questions regarding the draft PAG-10 General Permit for Hydrostatic Testing of Tanks and Pipelines should be directed to Andrew Gaul, (717) 787-0129, agaul@pa.gov.

JOHN QUIGLEY,  
Acting Secretary

[Pa.B. Doc. No. 15-519. Filed for public inspection March 20, 2015, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Penn Highlands Clearfield for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highlands 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: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: Table 2.1-4 Station Outlets for Oxygen, Vacuum, and Medical Air Systems in Hospitals (relating to patient rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
Acting Secretary

[Pa.B. Doc. No. 15-520. Filed for public inspection March 20, 2015, 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):

Green Ridge Care Center  
2741 Boulevard Avenue  
Scranton, PA 18509  
FAC ID # 332302

Julia Ribaldo Extended Care Center  
1404 Golf Park Drive  
P. O. Box 97  
Lake Ariel, PA 18436  
FAC ID # 101802

Whitestone Care Center  
370 White Stone Corner Road  
Stroudsburg, PA 18360  
FAC ID # 22480201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(d) and (f) (relating to resident bedrooms):

Butler Valley Manor Health and Rehabilitation Center  
463 North Hunter Highway  
Drums, PA 18222  
FAC ID # 283802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.27 (relating to lounge and recreation rooms):

The Hearthside Rehabilitation and Nursing Center  
450 Waupelani Drive  
State College, PA 16801  
FAC ID # 940502

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.

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).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-521. Filed for public inspection March 20, 2015, 9:00 a.m.]

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, May 1, 2015, from 10 a.m. to 3 p.m. The meeting will be held in the large conference room of the Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

Currently in this Commonwealth, nearly 250,000 individuals are living with brain injury. On an annual basis, an additional 8,600 residents in this Commonwealth sustain long-term disabilities from brain injury. The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Julie Hohny, Division of Child and Adult Health Services at (717) 772-2762, or for speech and/or hearing impaired persons contact V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-522. Filed for public inspection March 20, 2015, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Happy Mother's Day '15 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 Happy Mother's Day '15.

2. *Price:* The price of a Pennsylvania Happy Mother's Day '15 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Happy Mother's Day '15 instant 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), Heart (5TIMES) and a MOM (MOM) 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), \$15<sup>00</sup> (FIFTN), \$25<sup>00</sup> (TWY FIV), \$30<sup>00</sup> (THIRTY), \$75<sup>00</sup> (SVY FIV), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$30, \$75, \$100, \$300, \$1,000 and \$50,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Happy Mother's Day '15 instant 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 \$50,000 (FTY THO) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(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 \$1,000 (ONE THO) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (MOM) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in all twelve of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Heart (5TIMES) symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "PRIZE" area to the right of the Heart (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$150.



(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 \$100 (ONE HUN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (MOM) 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.

(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 \$75<sup>00</sup> (SVY FIV) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$75.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Heart (5TIMES) symbol and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the "PRIZE" area to the right of the Heart (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$75.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (MOM) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "PRIZE" areas, a prize symbol of \$15<sup>00</sup> (FIFTN) appears in one of the "PRIZE" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$75.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Heart (5TIMES) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of the Heart (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$30<sup>00</sup> (THIRTY) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(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 \$25<sup>00</sup> (TWY FIV) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Heart (5TIMES) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the right of the Heart (5TIMES) 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 \$15<sup>00</sup> (FIFTN) appears in the "PRIZE" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(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 to the right of 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 to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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  
Any Winning Number, Win Prize  
Shown To The Right Of The  
Matching Number. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$5	\$5	12	450,000
\$5 × 2	\$10	30	180,000
\$10	\$10	30	180,000
\$5 × 3	\$15	150	36,000
\$10 + \$5	\$15	75	72,000
\$15	\$15	75	72,000
\$5 × 5	\$25	300	18,000
(\$5 × 2) + \$15	\$25	300	18,000
\$5 w/ HEART	\$25	120	45,000
\$25	\$25	600	9,000
\$5 × 6	\$30	300	18,000
\$10 × 3	\$30	200	27,000
\$25 + \$5	\$30	200	27,000
\$30	\$30	300	18,000
MOM w/ ((\$5 × 10) + \$15 + \$10)	\$75	266.67	20,250
\$15 w/ HEART	\$75	489.8	11,025
\$75	\$75	960	5,625
MOM w/ ((\$25 × 2) + (\$5 × 10))	\$100	685.71	7,875
\$10 × 10	\$100	4,800	1,125
\$25 × 4	\$100	4,000	1,350
(\$30 × 3) + \$10	\$100	3,429	1,575
(\$10 w/ HEART) + (\$25 × 2)	\$100	1,200	4,500
\$100	\$100	3,429	1,575



*When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown To The Right Of The  
Matching Number. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
MOM w/ (\$25 × 12)	\$300	120,000	45
\$30 × 10	\$300	120,000	45
\$100 × 3	\$300	120,000	45
(\$30 w/ HEART) + (\$25 × 2) + \$100	\$300	12,000	450
\$300	\$300	60,000	90
\$100 × 10	\$1,000	60,000	90
\$1,000	\$1,000	120,000	45
\$50,000	\$50,000	540,000	10

Reveal a "HEART" (5TIMES) symbol, win 5 times the prize shown to the right of that symbol.

Reveal a "MOM" (MOM) symbol, win all 12 prizes shown.

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 Program for retailers who sell Pennsylvania Happy Mother's Day '15 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Happy Mother's Day '15, prize money from winning Pennsylvania Happy Mother's Day '15 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 Happy Mother's Day '15 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.

12. *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.

13. *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 Happy Mother's Day '15 or through normal communications methods.

EILEEN McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-523. Filed for public inspection March 20, 2015, 9:00 a.m.]

### Pennsylvania Hot Streak 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 Streak.

2. *Price:* The price of a Pennsylvania Hot Streak instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Hot Streak instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 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), 40 (FORTY), Hot Cash (HTCSH) symbol and a HOT (WIN20) 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), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The player can win up to 10 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Hot Streak instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$25,000 (TWYFIVTHO) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$500 (FIV HUN) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$250 (TWOHUNFTY) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$100 (ONE HUN) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) 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 with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV)

in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$20<sup>00</sup> (TWENTY) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with a HOT (WIN20) symbol in the play area, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the “prize” area under that Hot Cash (HTCSH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) 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 with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$4<sup>00</sup> (FOR DOL) 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 with a Hot Cash (HTCSH) symbol in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) in the “prize” area under that Hot Cash (HTCSH) symbol, 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:

Reveal A “HOT CASH” (HTCSH)  
Symbol, Win Prize Shown Under  
That Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
\$2	\$2	8.82	1,224,000
\$2 × 2	\$4	37.5	288,000
\$4	\$4	50	216,000
\$5	\$5	30	360,000
\$2 × 5	\$10	250	43,200
\$5 × 2	\$10	750	14,400
(\$4 × 2) + \$2	\$10	300	36,000
\$10	\$10	750	14,400
\$2 × 10	\$20	1,500	7,200
\$5 × 4	\$20	1,500	7,200
\$4 × 5	\$20	1,500	7,200
\$20 w/HOT	\$20	136.36	79,200
\$20	\$20	1,500	7,200
\$5 × 5	\$25	800	13,500
(\$5 × 3) + \$10	\$25	800	13,500
(\$20 w/HOT) + \$5	\$25	558.14	19,350
\$25	\$25	960	11,250
\$5 × 10	\$50	4,000	2,700
\$10 × 5	\$50	1,200	9,000
(((\$20 w/HOT) × 2) + \$10	\$50	3,000	3,600
\$50	\$50	4,000	2,700
\$10 × 10	\$100	6,000	1,800
\$25 × 4	\$100	3,000	3,600
(\$20 w/ HOT) × 5	\$100	3,000	3,600
\$100	\$100	4,800	2,250
\$25 × 10	\$250	30,000	360

Reveal A "HOT CASH" (HTCSH)  
Symbol, Win Prize Shown Under  
That Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
\$50 × 5	\$250	12,000	900
(\$100 × 2) + \$50	\$250	12,000	900
\$250	\$250	30,000	360
\$50 × 10	\$500	120,000	90
\$100 × 5	\$500	60,000	180
\$250 × 2	\$500	60,000	180
\$500	\$500	120,000	90
\$1,000	\$1,000	60,000	180
\$25,000	\$25,000	1,080,000	10

Reveal a "HOT" (WIN20) symbol, win \$20 instantly!

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 Program for retailers who sell Pennsylvania Hot Streak instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Hot Streak, prize money from winning Pennsylvania Hot Streak 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 Streak 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.

12. *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.

13. *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 Streak or through normal communications methods.

EILEEN McNULTY,  
Acting Secretary

[Pa.B. Doc. No. 15-524. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Pennsylvania Solid Gold '15 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 Solid Gold '15.

2. *Price:* The price of a Pennsylvania Solid Gold '15 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Solid Gold '15 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 (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) 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 (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), Bar (BAR) symbol and a GOLD (GOLD) 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), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV 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, \$500, \$1,000, \$5,000 and \$100,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Solid Gold '15 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 \$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 \$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.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a GOLD (GOLD) symbol and a prize symbol of \$1,000 (ONE THO) appears in three of the "prize" areas, a prize symbol of \$500 (FIV HUN) appears in two of the "prize" areas, and a prize symbol of \$100 (ONE HUN) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$5,000.

(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 \$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.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a GOLD (GOLD) symbol and a prize symbol of \$100 (ONE HUN) appears in five 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.

(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 \$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.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a GOLD (GOLD) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bar (BAR) symbol and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Bar (BAR) 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 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.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a GOLD (GOLD) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five 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.

(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 \$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.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bar (BAR) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Bar (BAR) 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 is a Bar (BAR) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under that Bar (BAR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$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.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bar (BAR) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under that Bar (BAR) symbol, on a single ticket, shall be entitled to a prize of \$25.

(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 \$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.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bar (BAR) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under that Bar (BAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) 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.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bar (BAR) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Bar (BAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) 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.



(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bar (BAR) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under that Bar (BAR) symbol, on a single ticket, shall be entitled to a prize of \$5.

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  
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 12,000,000 Tickets:</i>
\$5 w/ BAR	\$5	20	600,000
\$5	\$5	30	400,000
\$5 × 2	\$10	60	200,000
\$10 w/ BAR	\$10	30	400,000
\$10	\$10	30	400,000
\$5 × 4	\$20	150	80,000
\$10 × 2	\$20	150	80,000
\$20 w/ BAR	\$20	60	200,000
\$20	\$20	150	80,000
\$5 × 5	\$25	300	40,000
(\$10 × 2) + \$5	\$25	300	40,000
\$20 + \$5	\$25	300	40,000
\$25 w/ BAR	\$25	300	40,000
\$25	\$25	300	40,000
\$5 × 8	\$40	600	20,000
\$20 × 2	\$40	600	20,000
\$40 w/ BAR	\$40	600	20,000
\$40	\$40	600	20,000
\$5 × 10	\$50	600	20,000
\$25 × 2	\$50	600	20,000
\$50 w/ BAR	\$50	600	20,000
\$50	\$50	600	20,000
GOLD SYMBOL w/ ((\$10 × 5) + (\$5 × 10))	\$100	600	20,000
\$10 × 10	\$100	1,600	7,500
\$20 × 5	\$100	2,400	5,000
\$25 × 4	\$100	2,400	5,000
(\$50 w/ BAR) × 2	\$100	2,000	6,000
\$100	\$100	2,000	6,000
GOLD SYMBOL w/ ((\$40 × 10) + (\$20 × 5))	\$500	60,000	200
\$50 × 10	\$500	60,000	200
\$100 × 5	\$500	60,000	200
(((\$200 w/ BAR) × 2) + \$100)	\$500	60,000	200
\$500	\$500	60,000	200
GOLD SYMBOL w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	120,000	100
\$500 × 2	\$1,000	120,000	100
\$1,000	\$1,000	120,000	100
GOLD SYMBOL w/ ((\$1,000 × 3) + (\$500 × 2) + (\$100 × 10))	\$5,000	600,000	20
\$5,000	\$5,000	600,000	20
\$100,000	\$100,000	1,200,000	10

Reveal a "BAR" (BAR) symbol, win prize shown under that symbol automatically.

Reveal a "GOLD" (GOLD) symbol, win all 15 prizes shown!

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 Program for retailers who sell Pennsylvania Solid Gold '15 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described

in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania Solid Gold '15, prize money from winning Pennsylvania Solid Gold '15 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 Solid Gold '15 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.

12. *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.

13. *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 Solid Gold '15 or through normal communications methods.

EILEEN McNULTY,  
Acting Secretary

[Pa.B. Doc. No. 15-525. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Pennsylvania Triple Cash '15 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 Triple Cash '15.

2. *Price*: The price of a Pennsylvania Triple Cash '15 instant lottery game ticket is \$1.

3. *Play Symbols*: Each Pennsylvania Triple Cash '15 instant lottery game ticket will contain one play area and a separate "TRIPLER BONUS BOX" area containing one play symbol. The "TRIPLER BONUS BOX" area is played separately. The play symbols and their captions located in the play area are: X (XXXX) symbol and a Cash (CASH) symbol. The play symbols and their captions located in the "TRIPLER BONUS BOX" area are: Piggy Bank (PIGBNK) symbol, Wallet (WALLET) symbol, Coins (COINS) symbol, Safe (SAFE) symbol, Bank (BANK) symbol and a \$\$\$ (TRIPLE) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$9<sup>00</sup> (NIN DOL), \$10<sup>00</sup> (TEN

DOL), \$15<sup>00</sup> (FIFTN), \$18<sup>00</sup> (EGHTN), \$30<sup>00</sup> (THIRTY), \$100 (ONE HUN), \$300 (THR HUN) and \$3,000 (THR THO).

5. *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$6, \$9, \$10, \$15, \$18, \$30, \$100, \$300 and \$3,000.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 12,000,000 tickets will be printed for the Pennsylvania Triple Cash '15 instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$3,000 (THR THO) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$3,000.

(b) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$300.

(c) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$100 (ONE HUN) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$10<sup>00</sup> (TEN DOL) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$30.

(g) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$18<sup>00</sup> (EGHTN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$18.

(h) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$6<sup>00</sup> (SIX DOL) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$18.

(i) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$5<sup>00</sup> (FIV DOL) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal

and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$9<sup>00</sup> (NIN DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$9.

(m) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$3<sup>00</sup> (THR DOL) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$9.

(n) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$6<sup>00</sup> (SIX DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$6.

(o) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$2<sup>00</sup> (TWO DOL) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$6.

(p) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$3<sup>00</sup> (THR DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$3.

(r) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal, with a prize symbol of \$1<sup>00</sup> (ONE DOL) in the "PRIZE" box, and a \$\$\$ (TRIPLE) symbol in the "TRIPLER BONUS BOX," on a single ticket, shall be entitled to a prize of \$3.

(s) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets with three matching Cash (CASH) symbols appearing in a row, column or diagonal and a prize symbol of FREE (TICKET) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of one Pennsylvania Triple Cash '15 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:

Reveal Three "CASH" (CASH)  
Symbols In A Row, Column Or  
Diagonal, Win Prize Shown In  
the Prize Box. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 12,000,000 Tickets
FREE	FREE \$1 TICKET	9.68	1,240,000
\$2	\$2	20	600,000
\$1 w/ \$\$\$	\$3	60	200,000
\$3	\$3	75	160,000
\$5	\$5	300	40,000
\$2 w/ \$\$\$	\$6	150	80,000
\$6	\$6	150	80,000
\$3 w/ \$\$\$	\$9	200	60,000
\$9	\$9	200	60,000
\$10	\$10	3,000	4,000
\$5 w/ \$\$\$	\$15	750	16,000
\$15	\$15	750	16,000
\$6 w/ \$\$\$	\$18	1,500	8,000
\$18	\$18	1,000	12,000
\$10 w/ \$\$\$	\$30	800	15,000
\$30	\$30	1,200	10,000
\$100	\$100	9,600	1,250
\$100 w/ \$\$\$	\$300	34,286	350
\$300	\$300	30,000	400
\$3,000	\$3,000	400,000	30

Reveal a "\$\$\$" (TRIPLE) symbol in the "TRIPLER BONUS BOX", triple any prize won.

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 Program for retailers who sell Pennsylvania Triple Cash '15 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant

lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaran-



teed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania Triple Cash '15, prize money from winning Pennsylvania Triple Cash '15 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 Triple Cash '15 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.

12. *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.

13. *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 Triple Cash '15 or through normal communications methods.

EILEEN McNULTY,  
Acting Secretary

[Pa.B. Doc. No. 15-526. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Pennsylvania The Wizard of Oz™ 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 The Wizard of Oz.

2. *Price*: The price of a Pennsylvania The Wizard of Oz instant lottery game ticket is \$10.

3. *Play Symbols*: Each Pennsylvania The Wizard of Oz 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 printed in red ink and 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 printed in black ink and 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 printed in red ink and 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 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and a Poppy (POPPY) symbol. The play symbols and their captions printed in black ink and 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 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and a Flying Monkey (FLYMKY) 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), \$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), \$20,000 (TWY THO) and \$300,000 (THRHUNTHO).

5. *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000, \$20,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 9,600,000 tickets will be printed for the Pennsylvania The Wizard of Oz instant lottery game.

7. *Second-Chance Drawings*: The Pennsylvania Lottery will conduct The Wizard of Oz Second-Chance Game for which non-winning Pennsylvania The Wizard of Oz instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of Prize Winners*:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of





(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Flying Monkey (FLYMKY) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the Flying Monkey (FLYMKY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols with the symbol and caption printed in black ink, and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols with the symbol and caption printed in black ink, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Flying Monkey

(FLYMKY) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the Flying Monkey (FLYMKY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols with the symbol and caption printed in black ink, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Flying Monkey (FLYMKY) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Flying Monkey (FLYMKY) symbol, on a single ticket, shall be entitled to a prize of \$10.

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 9,600,000 Tickets:</i>
\$10 w/ FLYING MONKEY	\$10	12	800,000
\$10	\$10	12	800,000
\$10 × 2	\$20	60	160,000
\$20 w/ FLYING MONKEY	\$20	30	320,000
\$20	\$20	40	240,000
\$20 × 2	\$40	600	16,000
(\$10 w/ FLYING MONKEY) × 4	\$40	200	48,000
\$40	\$40	600	16,000
\$10 × 5	\$50	600	16,000
(((\$20 w/ FLYING MONKEY) × 2) + (\$10 w/ FLYING MONKEY))	\$50	150	64,000
\$50	\$50	600	16,000
POPPY w/ (((\$10 × 5) + (\$5 × 10))	\$100	150	64,000
\$50 × 2	\$100	600	16,000
(\$10 w/ FLYING MONKEY) × 10	\$100	600	16,000
\$10 w/ RED MATCH	\$100	200	48,000
\$100	\$100	600	16,000
POPPY w/ (((\$20 × 5) + (\$10 × 10))	\$200	2,182	4,400
\$50 × 4	\$200	6,000	1,600
\$100 × 2	\$200	4,000	2,400
(\$20 w/ FLYING MONKEY) × 10	\$200	6,000	1,600
\$20 w/ RED MATCH	\$200	3,429	2,800
\$200	\$200	12,000	800
POPPY w/ (((\$40 × 10) + (\$20 × 5))	\$500	3,429	2,800
\$100 × 5	\$500	12,000	800
(((\$50 w/ FLYING MONKEY) × 8) + (((\$20 w/ FLYING MONKEY) × 5))	\$500	12,000	800
\$50 w/ RED MATCH	\$500	2,182	4,400
\$500	\$500	12,000	800
POPPY w/ (((\$100 × 5) + (\$50 × 10))	\$1,000	17,143	560
\$500 × 2	\$1,000	60,000	160
(\$200 × 4) + (\$100 × 2)	\$1,000	60,000	160
(\$100 w/ FLYING MONKEY) × 10	\$1,000	17,143	560
\$100 w/ RED MATCH	\$1,000	40,000	240
\$1,000	\$1,000	40,000	240
(\$1,000 w/ FLYING MONKEY) × 10	\$10,000	320,000	30

*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 9,600,000 Tickets:</i>
\$10,000	320,000	30
\$20,000	320,000	30
\$300,000	960,000	10

When matching numbers are red, win 10 times the prize shown under the matching number.  
Reveal a "FLYING MONKEY" (FLYMKY) symbol, win prize shown under that symbol automatically.  
Reveal a "POPPY" (POPPY) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery's Second-Chance Game for The Wizard of Oz (hereafter, the "Game").

(a) *Qualifying Tickets:* Non-winning PA-1133 The Wizard of Oz (\$10) instant lottery tickets ("Qualifying Tickets") are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must submit the identifying information from at least one non-winning Qualifying Ticket via the Game's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. March 22, 2015 and ends at 11:59:59 p.m. June 11, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative The Wizard of Oz themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Grand Prize drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry Doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Grand Prize drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry Doubler if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1133 The Wizard of Oz (\$10) = 10 entries.

(3) Players may review prizes won and their entries for the Grand Prize drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in a cash prize or an Entry Doubler, the play sequence will show the player receiving the number of entries equal to the purchase price of the Qualifying Ticket entered for the Grand Prize drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Grand Prize drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:</i>			
	<i>\$25 Prize</i>	<i>\$50 Prize</i>	<i>\$100 Prize</i>	<i>\$250 Prize</i>
The Wizard of Oz	13,838	6,919	2,768	1,384
<i>Qualifying Ticket</i>	<i>Approximate Odds of Winning An Instant Prize are 1 in:</i>			
	<i>\$25 Prize</i>	<i>\$50 Prize</i>	<i>\$100 Prize</i>	<i>\$250 Prize</i>
The Wizard of Oz	500	1,000	2,500	5,000



(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry Doubler, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries equal to the purchase price of the Qualifying Ticket entered for the Grand Prize drawing. The following table sets forth the approximate number of Entry Doublers and the approximate odds of winning an Entry-doubler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Doubler Winners</i>	<i>Approximate Odds Are 1 in:</i>
The Wizard of Oz	1,729,695	4

(4) The Lottery will conduct one Grand Prize drawing from among all the entries received during the entry period. The first entry selected in the Grand Prize drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between June 12, 2015 and June 16, 2015.

*(e) Grand Prize Drawing.*

(1) The odds of winning the Grand Prize drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Grand Prize drawing winner.

(3) To be eligible to participate in the Game and Grand Prize drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Grand Prize drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Grand Prize drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be

tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes 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.

(13) The winner of the Grand Prize drawing must claim their prize within one year of the drawing date 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) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania The Wizard of Oz instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter



a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania The Wizard of Oz, prize money from winning Pennsylvania The Wizard of Oz 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 The Wizard of Oz 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.

14. *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.

15. *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 The Wizard of Oz or through normal communications methods.

EILEEN McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-527. Filed for public inspection March 20, 2015, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to or less than the maximum amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). Section 7321(c) of 75 Pa.C.S. provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as pub-

lished by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. Section 7321(c) of 75 Pa.C.S. further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c)(3), the Department has fixed the maximum amount for 2015 as \$1,215.

LESLIE S. RICHARDS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-528. Filed for public inspection March 20, 2015, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Boyle Land & Fuel Company v. DEP; EHB Doc. No. 2015-031-C

Boyle Land & Fuel Company has appealed the issuance by the Department of Environmental Protection of a renewal NPDES permit to Boyle Land & Fuel Company for the Spaw Strip operation located in Wharton Township, Fayette County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 15-529. Filed for public inspection March 20, 2015, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates 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 or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

#### *Final-Omit*

#### *Reg. No.*

#### *Agency/Title*

#### *Resubmitted*

#### *Public*

#### *Meeting*

125-184

Pennsylvania Gaming Control Board  
Possession of Weapons within a Licensed  
Facility

3/11/15

4/16/15

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
105-5	Board of Claims Rules of Procedure	3/11/15	4/16/15
<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
54-80	Pennsylvania Liquor Control Board Breweries	3/6/15	4/16/15
125-175	Pennsylvania Gaming Control Board Licensing; Slot Software; Count Room Characteristics; Credit; Table Game Rules	3/11/15	4/16/15

JOHN R. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 15-530. Filed for public inspection March 20, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Autism Spectrum Disorders Coverage—Maximum Benefit Adjustment; Notice 2015-01

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 change for the year preceding December 30, 2014, was an increase of 0.8%. Accordingly, the maximum benefit, previously adjusted to \$38,276 per year, is hereby adjusted to \$38,582 for policies issued or renewed in calendar year 2016.

Questions regarding this notice may be directed to Peter Camacci, Director of the Bureau of Life, Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-4192, ra-rate.form@pa.gov.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-531. Filed for public inspection March 20, 2015, 9:00 a.m.]

### Daniel J. and Edith M. Harshbarger v. Pennsylvania Mutual Life Insurance Company under The Insurance Company Law of 1921 (40 P. S. §§ 341—1007.15) and the Referral by the United States District Court for the Eastern District of Pennsylvania; Doc. No. FC15-03-002

This matter is an application by Daniel J. and Edith M. Harshbarger to the Insurance Department (Department) requesting that proceedings be scheduled to address the referral of matters within the Department's jurisdiction

concerning the compliance of Pennsylvania Mutual Life Insurance Company relative to its calculation of surplus and dividends.

A telephone conference arranged by the Administrative Hearings Office is scheduled for April 28, 2015, at 9:30 a.m. On or before April 21, 2015, each party shall designate the persons participating in the telephone conference and a telephone number to be used for each individual. The parties shall be prepared to discuss procedural and substantive issues including but not limited to the scope of these proceedings, discovery, stipulations, the necessity of an evidentiary hearing, future procedures and other matters relevant to the orderly, efficient and just resolution of this matter in the Department.

Any counsel requiring admission pro hac vice shall submit an application on or before March 31, 2015.

The telephone conference will be informal in nature and will not be stenographically recorded or transcribed. Prehearing memoranda or other written submissions are not required for the conference other than the written answer to the complaint, additional entries of appearance and the designation of individuals participating in the telephone conference.

Petitions to intervene or notices of intervention, if any, must be filed on or before April 17, 2015, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Answers to petitions to intervene, if any, shall be filed on or before April 24, 2015.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-532. Filed for public inspection March 20, 2015, 9:00 a.m.]

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

The following insurer 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 Administra-

tive 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 the 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 Progressive Direct Insurance Company; file no. 15-188-179675; Jennifer Pinna; Doc. No. P15-02-017; April 15, 2015, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. 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.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-533. Filed for public inspection March 20, 2015, 9:00 a.m.]

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

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

The following hearing will be held in Room 2014, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Vincent and Diane Testa; file no. 14-115-175320; State Farm Mutual Automobile Insurance; Doc. No. P14-11-010; April 21, 2015, 3 p.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. 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.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-534. Filed for public inspection March 20, 2015, 9:00 a.m.]

### **Review Procedure Hearings under the Unfair Insurance Practices Act**

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Hearing Room 2014, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Donna M. Beale; file no. 14-116-177667; Erie Insurance Exchange; Doc. No. P14-12-010; April 21, 2015, 10 a.m.



Appeal of Marcie L. Gans; file no. 15-198-180064; White Pine Insurance Company; Doc. No. P15-02-006; April 21, 2015, 1 p.m.

Appeal of Gregory and Christina Simmons; file no. 14-188-175710; Encompass Insurance Company of America; Doc. No. P14-12-017; April 21, 2015, 2 p.m.

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

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-535. Filed for public inspection March 20, 2015, 9:00 a.m.]

### **Unum Life Insurance Company of America; Rate Increase Filing for Several LTC Forms**

Unum Life is requesting approval to increase the premium 20% on 7,140 policyholders with the following individual LTC policy form numbers: LTC5092, LTC5192, LTC5292, LTC5392, LTC5492, LTC5592, LTC94, LTC94Q, LTC94FQ, LTC99, LTC99Q and LTC99FQ.

Unless formal administrative action is taken prior to June 4, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-536. Filed for public inspection March 20, 2015, 9:00 a.m.]

## **LEGISLATIVE REFERENCE BUREAU**

### **Documents Filed But Not Published**

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Manual No. 215.3—Procurement Handbook, Amended February 24, 2015.

Management Directive No. 215.16—Contract Compliance Program, Amended February 24, 2015.

Administrative Circular No. 15-01—Distribution of the 2015-2016 Commonwealth Budget, Dated February 6, 2015.

Administrative Circular No. 15-02—2015-2016 Budget Hearing Materials, Dated February 6, 2015.

Administrative Circular No. 15-03—Photographs of the Governor, Lieutenant Governor and Cabinet Members in Commonwealth Office Buildings, Dated February 6, 2015.

Administrative Circular No. 15-04—Closing Instruction No. 1, Fiscal Year 2014-15; Submission of Purchasing Documents, Dated February 19, 2015.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 15-537. Filed for public inspection March 20, 2015, 9:00 a.m.]

## **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

### **Future Sale or Acquisition of Property**

**A-2015-2471192. Duquesne Light Company.** Application of Duquesne Light Company for authority under 66 Pa.C.S. § 1102 (relating to enumeration of acts requiring certificates) for future sale or acquisition of property under a multi-utility agreement known as the Spare Transformer Sharing Agreement.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 6, 2015. 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. 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.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.



*Applicant:* Duquesne Light Company

*Through and By Counsel:* Tishekia E. Williams, Esquire, Andrienne Kurtanich, Esquire, Duquesne Light Company, 411 Seventh Avenue, 16th Floor, Pittsburgh, PA 15219 and Michael W. Gang, Esquire, Anthony D. Kanagy, Esquire, Post & Schell, PC, 17 North 2nd Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-538. Filed for public inspection March 20, 2015, 9:00 a.m.]

### IBC Telecom Corporation

Public Meeting held  
February 12, 2015

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

*IBC Telecom Corporation; A-2012-2294572;  
A-2012-2294574; A-2012-2294575*

### Tentative Order

*By the Commission:*

IBC Telecom Corporation (IBC or the Company), whose utility code is 3114449, is a telecommunications interexchange reseller and a competitive local exchange carrier certificated separately in the territories of Verizon Pennsylvania LLC and Verizon North LLC at A-2012-2294572, A-2012-2294574, and A-2012-2294575, respectively, on June 21, 2012, August 30, 2012, and August 30, 2012, respectively.

Because IBC appeared to be an inactive business entity, Commission staff attempted to reach the Company to determine whether it should be considered an active utility in Pennsylvania. Commission staff's attempts to reach IBC by mail and telephone have been unsuccessful. In fact, both telephone numbers listed for the Company are no longer in service. Additionally, based on Commission records, the Company has never filed any annual reports or access line reports since it was certified in 2012. IBC currently has no NXX Codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on the above facts, we tentatively conclude that it is appropriate to revoke IBC's certificates of public convenience without the necessity of a formal complaint as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if IBC seeks relief from this Tentative Order; *Therefore,*

*It Is Ordered That:*

1. Revocation of IBC Telecom Corporation's certificates of public convenience are hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation &

Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the certificates of public convenience held by IBC Telecom Corporation, utility code 3114449, at Docket Nos. are cancelled, that its name be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administrative Services, and that the dockets may be closed.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-539. Filed for public inspection March 20, 2015, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 April 6, 2015. 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-2014-2453533. East Coast Resources, LLC** (140 South 17th Street, Harrisburg, PA 17104) a limited liability company of the Commonwealth of Pennsylvania for the right to begin, to transport by motor vehicle, persons in the experimental service of ride-sharing network for passenger trips, from points in Cumberland, Dauphin, Lancaster, Lebanon and York Counties, to points in Pennsylvania, and return, excluding service under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Steven K. Haas, 100 North Tenth Street, Harrisburg, PA 17101.

**A-2015-2463260. Supportive Transportation of Philadelphia, Inc.** (935 North 42nd Street, Philadelphia, PA 19104) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, between points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.

**A-2015-2463440. Party Bus, LLC** (324 East College Avenue, Pleasant Gap, PA 16823) 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 County of Centre to points in Pennsylvania, and return.

**A-2015-2464952. James A. Thompson and Deborah L. Thompson** (943 Mount Zion Road, Narvon, Lancaster County, PA 17555) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**A-2015-2467873. Power Express, LLC t/a Yoryi's Express Transportation** (1600 Lehigh Parkway, Suite 1P, Allentown, Lehigh County, PA 18103) for the right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in Lehigh County, to the Lehigh Valley International Airport and Philadelphia International Airport. *Attorney:* Margaret A. Morris, Esquire and Debra L. Roscioli, Esquire, Reger, Rizzo & Darnall, LLP, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104.

**A-2015-2468549. Preferred Medical Transport, Inc.** (151 Discovery Drive, Suite 115, Colmar, Montgomery County, PA 18915) for the right to begin to transport, as a common carrier, by motor vehicle, ambulatory and non-ambulatory persons for dialysis and other various appointments in paratransit service, from points in the Counties of Bucks, Montgomery and Philadelphia, to points in Pennsylvania, and return. *Attorney:* John J. Dorsey, Jr., Esquire, 400 Greenwood Avenue, Lower Level, Wyncote, PA 19095.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2015-2469287. Rasier-PA, LLC** (109 South 13th Street, Philadelphia, PA 19107) a limited liability company of the State of Delaware for amendment to its common carrier certificate, which grants the right to transport by motor vehicle persons in the experimental service of ride-sharing network for passenger trips between points in Pennsylvania, excluding those which originate or terminate in the Counties of Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union: *So as to Permit:* the inclusion of the Counties of Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union, which would allow the transportation of persons between all points in Pennsylvania, excluding service which is under jurisdiction of the Philadelphia Parking Authority. *Attorney:* Karen O. Moury, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2015-2464975. Airport Limousine Service, Inc., t/a Ztrip** (1825 Liverpool Street, Pittsburgh, PA 15233) a corporation of the Commonwealth of Pennsylvania for the additional right, to transport by motor vehicle, persons in the experimental service of ride-sharing network for passenger trips, in limousine type service in luxury type vehicles, between points in Pennsylvania, excluding service under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Paul Guarnieri, 11676 Perry Highway, Suite 3100, Wexford, PA 15090.

**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 as described under the application.**

**A-2015-2465927. Stellar Movers, LLC** (1105 Greenwich Street, Philadelphia, PA 19147) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the City and County of Philadelphia and from said points to points in Pennsylvania. *Attorney:* Andrew D. Santana, Esquire, Fox Rothschild LLP, 10 Sentry Parkway, Suite 2, Blue Bell, PA 19422.

**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-2015-2470497. Steven S. Shearer** (43 Hershey Avenue, Paradise, Lancaster County, PA 17562) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-540. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due April 6, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

## Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Lifestar Response of NJ—Lifestar Response Corp.; Doc. No. C-2015-2441917

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Lifestar Response of NJ—Lifestar Response Corp., Respondent, maintains its principal place of business at 657 Union Boulevard, Totowa, NJ 07512.

2. That Respondent was issued a certificate of public convenience by this Commission on April 13, 2011 at Application Docket No. A-2194049.

3. That Respondent, on September 3, 2014, at 600 S. Wycombe Avenue, Lansdowne, Delaware County, PA, presented a 2012 Ford E-250 bearing license No. ZCB8382 and Vehicle Identification No. 1FTNE2EW2CDA44062.

4. That the vehicle described in paragraph 3 was inspected on the date specified by PUC Enforcement Officer John Allen and the following violation was disclosed:

Information from the trip sheet reveals that Respondent was contracted to transport passenger/s from 600 S. Wycombe Avenue, Lansdowne, Delaware County, PA to 14 Lincoln Avenue, Lansdowne, Delaware County, PA. By providing transportation between the above listed points the carrier provided transportation in the territory not authorized by this Commission.

5. That Respondent, on August 27, 2014, at 380 Oxford Valley Road, Langhorne, Bucks County, PA, presented a 2010 Ford truck bearing license No. ZCB7407 and Vehicle Identification No. 1FTNE2EW4CDA38795.

6. That the vehicle described in paragraph 5 was inspected on the date specified by PUC Philadelphia District Office Supervisor Anthony Bianco and the following violations were disclosed:

(a) No PUC Consumer complaint decal observed in vehicle.

(b) Information from the trip sheet reveals that Respondent was contracted to transport passenger/s from Langhorne, Bucks County, PA to another location in Langhorne, Bucks County, PA. By providing transportation between the above listed points the carrier provided transportation in the territory not authorized by this Commission.

7. That Respondent, on August 25, 2014, at 1300 Wolf Street, Philadelphia, Philadelphia County, PA, presented a 2013 Ford E-250 bearing license No. ZPD4867 and Vehicle Identification No. 1FTNE2EW4DDA62323.

8. That the vehicle described in paragraph 7 was inspected on the date specified by PUC Enforcement Officer John Allen and the following violation was disclosed:

Information from three completed trip sheets reveals that Respondent was contracted to transport passenger/s from one point in Philadelphia, Philadelphia County, PA to another point within Philadelphia, Philadelphia County, PA. By providing transportation between the above listed points the carrier provided transportation in the territory not authorized by this Commission.

9. That Respondent, on August 22, 2014, at 1300 Wolf Street, Philadelphia, Philadelphia County, PA, presented a 2013 Ford E-250 bearing license No. ZPD4872 and Vehicle Identification No. 1FTNE2EW0DDA62321.

10. That the vehicle described in paragraph 9 was inspected on the date specified by PUC Enforcement Officer John Allen and the following violations were disclosed:

Information from completed trip sheets reveals that Respondent was contracted to transport passenger/s from 2115 South 4th Street to Wolf and South Broad Street. By

providing transportation between the above listed points the carrier provided transportation in the territory not authorized by this Commission.

11. That Respondent, on September 8, 2014, at 1480 Oxford Valley Road, Langhorne, Bucks County, PA, presented a 2012 Ford Truck bearing license No. ZCB7404 and Vehicle Identification No. 1FTNE2EW0CDA16695.

12. That the vehicle described in paragraph 5 was inspected on the date specified by PUC Philadelphia District Office Supervisor Anthony Bianco and the following violations were disclosed:

(a) No PUC Consumer complaint decal observed in vehicle.

(b) Information from the trip sheet reveals that Respondent was contracted to transport passenger/s from Langhorne, Bucks County, PA to a location in Yardley, Bucks County, PA. By providing transportation between the above listed points the carrier provided transportation in the territory not authorized by this Commission.

13. That Respondent, by failing to display a Commission-issued complaint decal on the vehicles violated Pa. Code 52 § 29.356. The penalty is \$50 per violation for a total penalty of \$100.

14. That Respondent, by rendering service within the Commonwealth of Pennsylvania other than that authorized by its certificate of public convenience, violated the Public Utility Code 66 Pa.C.S. § 1102. The penalty is \$500 per violation per day for each vehicle for a total penalty of \$2,500.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Lifestar Response of NJ—Lifestar Response Corp. the sum of two thousand and six hundred dollars (\$2,600) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/4/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and



must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mail to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Bureau of Investigation and Enforcement at (717) 783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Equal Transportation; Doc. No. C-2015-2456203**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and

Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Equal Transportation, Respondent, maintains its principal place of business at 4642 Naples Street, Philadelphia, Pennsylvania, 19124.

2. That Respondent was issued a certificate of public convenience by this Commission on January 11, 2006 at Application Docket No. A-00121517.

3. That on November 19, 2014, PUC Enforcement Officer John Allen attempted to contact listed owner Edward Williams regarding a 2015 annual inspection. Attempts were made by phone and in person at 3 locations listed as possible contact addresses for the carrier. Officer Allen was not able to locate the owner by any method.

5. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

6. That respondent, by failing to furnish adequate, efficient, and safe service and facilities within 30 days after receipt of a certificate and by not reporting an interruption of service for more than 48 hours with a cause of interruption, violated 52 Pa. Code § 29.61 and § 29.62.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by respondent at Docket No. A-2004-00121517.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/3/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and



must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Starcity Moving, LLC; Doc. No. C-2015-2456224**

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Starcity Moving, LLC, Respondent, maintains a principal place of business at 441 N 5th Street, Suite 310, Philadelphia, Pennsylvania, 19123.

2. That Respondent was issued a certificate of public convenience by this Commission on November 14, 2013, at Application Docket No. A-2012-2336383 for household goods authority.

3. That Respondent's operating rights were suspended on October 3, 2014, for failure to maintain evidence of insurance on file with this Commission. Evidence of insurance was filed on December 2, 2014, which indicated insurance coverage was effective November 18, 2014. Therefore, there was a lapse of insurance coverage from October 3, 2014 through November 17, 2014.

4. On January 2, 2015, PUC Enforcement Officer John Allen traveled to Respondent's place of business and requested trip sheets from owner Dean Laster for the above time period. Respondent provided the only trip sheet from the period of October 3, 2014 through November 17, 2014. The log revealed that the Respondent permitted its vehicle to be operated during the time period of the lapse of insurance coverage.

5. That Respondent, by permitting its vehicle to be operated while under suspension, violated 52 Pa. Code § 32.2 and § 32.11 and 66 Pa.C.S. § 501(c), in that it failed to observe, obey and comply with a Commission regulation or order, and the terms and conditions thereof. The penalty for this violation is \$1,000 for each day respondent operated during the suspension and cancellation of the certificate of public convenience.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Starcity Moving, LLC, the sum of one thousand dollars (\$1,000) for the illegal activity described in this Complaint and cancellation of the certificate of public convenience at A-2012-2336383.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/3/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

**NOTICE**

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and

must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Citilink Transportation, LLC; Doc. No. C-2015-2465344**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Citilink Transportation, LLC, (respondent) is under suspension effective January 04, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 148 East Street Road, Site # 325, Feasterville, PA 19020.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 29, 2009, at A-00123375.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00123375 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/3/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in

your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. A record certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of

Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-541. Filed for public inspection March 20, 2015, 9:00 a.m.]

## Water Service

**A-2015-2470483. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of the water works property and rights of Abbey Woods Homeowner Association to Pennsylvania-American Water Company; and 2) the rights of Pennsylvania-American Water Company to furnish water service to the public in an additional portion of Jackson Township, Butler County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 6, 2015. 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. 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.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Shawn C. Bunting, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-542. Filed for public inspection March 20, 2015, 9:00 a.m.]

# STATE CONSERVATION COMMISSION

## Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30

days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, so individuals interested in challenging this action 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.

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Andrew A. Reiff 8245 Buffalo Road Mifflinburg, PA 17844	Union County/ West Buffalo Township	682.85	Swine	Existing	Transfer
Noah Martin 1821 SR 184 Trout Run, PA 17771	Lycoming County/ Cogan House Township	640	Swine	Existing	Rescind
Willow Behrer Farms, LLC Michael Behrer 3288 Behrer Lane Spruce Creek, PA 16683	Huntingdon County/ Franklin Township	0	Cattle	New	Approved
Evergreen Farms, Inc.— Warriors Mark Path Farm 0 Warriors Mark Path Road Spruce Creek, PA 16683	Huntingdon County/ Franklin Township	0	Cattle	Amended	Approved
Little Hill Farms, LLC 2003 Mount Zion Road Lebanon, PA 17046	Lebanon County/ Bethel Township	171.55	Broilers/Cattle	New	Approved
Linford Snyder— Fearnot Road Farm 904 Fearnot Road Sacramento, PA 17968	Dauphin County/ Lykens Township	388.23	Pullets	New	Approved

JOHN QUIGLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 15-543. Filed for public inspection March 20, 2015, 9:00 a.m.]

## THADDEUS STEVENS COLLEGE OF TECHNOLOGY

### Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for project 14-3435 for the Electro-Mechanical Technology (ELME) Program for a robot training system that

will be used in the second year of the 2-year associate degree ELME Program. This system will be used in a four-credit class titled "Robotics and Motion Control." Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, [harmon@stevenscollege.edu](mailto:harmon@stevenscollege.edu).

DR. WILLIAM E. GRISCOM,  
*President*

[Pa.B. Doc. No. 15-544. Filed for public inspection March 20, 2015, 9:00 a.m.]



