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PENNSYLVANIA BULLETIN

Volume 41

Number 15

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Pages 1887—1990

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Department of Conservation and Natural
Resources

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(Master Transmittal Sheets):**

No. 437, April 2011

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2011.

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS [204 PA. CODE CHS. 29 AND 211] Consumer Price Index

Section 211.1 of 204 Pa. Code is being reserved and renumbered as 204 Pa. Code § 29.401a (relating to Consumer Price Index—costs and fines) to read as set forth in Annex A. This section will now precede the financial regulations in 204 Pa. Code §§ 29.402 and 29.403 (relating to 42 Pa.C.S. § 1725.1. costs; and 42 Pa.C.S. § 3571) that are adjusted under the Consumer Price Index. The text in § 211.2 (relating to judicial salaries effective January 1, 2011) regarding the Consumer Price Index is being deleted and added to new § 211.1a (relating to Consumer Price Index—judicial salaries) to read as set forth in Annex A.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401a. Consumer Price Index—costs and fines.

Pursuant to Article V, Section 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, the Supreme Court has authorized the Court Administrator of Pennsylvania to obtain and publish in the *Pennsylvania Bulletin* on or before November 30 the percentage increase in the Consumer Price Index for calendar year 2009 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended). See, No. 358 Judicial Administration Docket.

The Court Administrator of Pennsylvania reports that the percentage increase in the Consumer Price Index, All Urban Consumers, U.S. City Average, for calendar year 2009 was 2.7% percent. (See, U.S. Department of Labor, Bureau of Labor Statistics, Series CUUROOOSAO, April 9, 2010.)

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

§ 211.1. (Reserved and Renumbered).

§ 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2010, was 1.7 percent (1.7%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Wednesday, November 17, 2010).

§ 211.2. Judicial salaries effective January 1, 2011.

The annual judicial salaries for calendar year beginning January 1, 2011 will be adjusted by a cost-of-living factor as follows:

(a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$189,620.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$195,138.

(b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$178,914.

(2) The annual salary of the President Judge of the Superior Court shall be \$184,432.

(c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$178,914.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$184,432.

(d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$164,602.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$167,361.

(ii) Philadelphia County, \$167,913.

(iii) Judicial districts having six or more judges, \$166,036.

(iv) Judicial districts having one to five judges, \$165,319.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$166,036.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$165,319.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$166,036.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$165,319.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$160,793.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$163,277.

(f) *Philadelphia Traffic Court.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$86,496.

(2) The annual salary of the President Judge of the Philadelphia Traffic Court shall be \$87,213.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$82,303.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$506 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 11-601. Filed for public inspection April 8, 2011, 9:00 a.m.]

PART IV. ADMISSION TO PRACTICE LAW
[204 PA. CODE CH. 71]

Amendment of Rule 231 of the Pennsylvania Bar Admission Rules; No. 518 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 22nd day of March, 2011, upon the recommendation of the Pennsylvania Board of Law Examiners; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of justice and efficient administration:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 231 of the Pennsylvania Bar Admission Rules is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments shall be effective 30 days from the date of this Order.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter B. ADMISSION TO THE BAR GENERALLY

ADMISSION TO PRACTICE

Rule 231. Motions for admission.

(a) *General rule.* Motions for admission to the bar of this Commonwealth shall be made by filing one copy thereof with the Prothonotary. The motion shall be in writing on a form prescribed by the Board and shall include or be accompanied by:

(1) A certificate from the Board recommending such admission[, **either:**

(i)] dated within six months of the filing of the motion[; or]. **A certificate recommending an applicant's admission to the bar expires and is no longer valid after six months from the date of issuance. Subject to the limitations set forth in subsections (i) and (ii) below, an applicant whose certificate has expired is required to file a Supplemental Applica-**

tion for Character and Fitness Determination in order to obtain a new certificate from the Board.

[(ii) dated six months or more prior to the filing of the motion and accompanied by a written statement of the Board dated within six months of the filing of the motion to the effect that it knows of no reason why the motion should not be granted. All applicants shall]

(i) **An applicant seeking admission under Rule 203 who fails to file a motion for admission to the bar within three years of the date [that the original certificate recommending admission had been issued by the Board. The failure to file a motion for admission within three years of the date when the certificate had been issued by the Board will cause the right to admission to the bar to lapse and require the applicant] on which their bar examination results were released will be required to reapply and successfully meet all of the requirements for admission to the bar including[, where applicable,] the taking and passing of a future bar examination in order for the Board to issue a certificate recommending the applicant's admission to the bar.**

(ii) **An applicant seeking admission to the bar under Rule 204 who fails to file a motion for admission within three years of the date of filing the initial application with the Board will be required to reapply and successfully meet all of the requirements for admission to the bar in order for the Board to issue a certificate recommending the applicant's admission to the bar.**

(2) The oath of office required by statute.

(3) A formal motion for admission to the bar of this Commonwealth.

(b) *Subscription.* The motion for admission shall be subscribed by a member of the bar of this Commonwealth in good standing.

(c) *Admission to Practice—Fee.* The applicant, upon filing a motion under this rule, shall pay a fee of \$50.00 (plus the additional cost involved, if an engrossed certificate of admission to the bar is desired).

(d) *Action by Prothonotary.* If the motion and related documents are in proper order and the required fee is paid the Prothonotary shall:

(1) Enter the name of the applicant upon the docket of persons admitted to the bar of this Commonwealth and the practice of law. [**Admissions pursuant to Rule 204 (relating to admission of domestic attorneys) or Rule 205 (relating to admission of foreign attorneys) shall be by order. The Chief Justice may delegate the function of signing such orders to the Prothonotary.]**

(2) Notify the Administrative Office of the admission of the attorney.

(3) If the requisite fee has been paid therefor, issue an engrossed certificate of admission under seal.

[(e) *Motions in open court.* **An applicant may elect to take the oath of admission in person before the Supreme Court at such time and place as may be directed by the Court.]**

[Pa.B. Doc. No. 11-602. Filed for public inspection April 8, 2011, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DELAWARE COUNTY

Cemetery Trust Account Filing Fees; File No. 150-2011

Order

And Now, To Wit, this 22nd day of March, 2011, it is hereby Ordered and Decreed that the following fees are to be adopted as the filing fees for Accounts for Audit that are filed by Cemetery Companies. These fees are to be incorporated into the Fee Schedule of the Orphans' Court Division established per Order dated January 31, 2007, signed by Past President Judge Edward J. Zetusky, Jr., in accordance with the provisions of Act 18 of April 21, 1994, which became effective on March 19, 2007:

Accounts filed formally by cemetery trustees are to be charged as follows:

In Accounts not exceeding in value \$5,000 \$116.00 would become \$150.00

Over \$ 5,000 and not exceeding \$10,000 \$149.00 would become \$200.00

Over \$10,000 and not exceeding \$25,000 \$198.00 would become \$250.00

Over \$25,000 and not exceeding \$50,000 \$231.00 would become \$350.00

Over \$50,000 and not exceeding \$100,000 \$281.00 would become \$400.00

Over \$100,000 and not exceeding \$250,000 \$400.00 would become \$550.00

Over \$250,000 and not exceeding \$500,000 \$500.00 would become \$650.00

Over \$500,000 and not exceeding \$750,000 \$600.00 would become \$750.00

Over \$750,000 and not exceeding \$1,000,000 .. \$800.00 would become \$1,000.00

Each succeeding \$500,000 or fraction thereof, \$350 additional up to \$10 million in value.

All accountings in excess of \$10 million in value will be charged a flat fee of \$7,500.00.

It Is Further Ordered that two (2) certified copies and one (1) diskette shall be filed with the Legislative Reference Bureau for publication in *The Pennsylvania Bulletin*; one (1) copy to the *Delaware County Legal Journal* for publication; and one (1) copy to *The Legal Intelligencer* for publication.

The effective date of this Order shall be: May 20, 2011.

By the Court

JOSEPH P. CRONIN, Jr.,
President Judge

Notice of Fees

The following Order of Court incorporating a set of filing fees for Cemetery Trust Accounts for Audit into the existing Fee Schedule of the Orphans' Court Division (which went into effect on March 19, 2007), will become effective on May 20, 2011.

[Pa.B. Doc. No. 11-603. Filed for public inspection April 8, 2011, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 525, 531, 535,
539, 549, 561 AND 563]

Table Game Amendments; Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 13A03 (relating to temporary table game regulations) enacted by the act of January 7, 2010 (P.L. 1, No. 1) (Act 1) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), amends temporary regulations in Chapters 525, 531, 535, 539, 549, 561 and 563 to read as set forth in Annex A. The Board's temporary regulations are codified in Part VII (relating to Gaming Control Board) as part of Subpart K (relating to table games).

Purpose of the Temporary Rulemaking

This temporary rulemaking amends the chapter on table game internal controls and amends the rules of Roulette, Pai Gow, Sic Bo, Blackjack, Pai Gow Poker and Texas Hold 'Em Bonus Poker for clarity, to add additional side wagers and in response to comments received from certificate holders.

Explanation of Chapters 525, 531, 535, 539, 549, 561 and 563

In § 525.6(c) (relating to personnel assigned to the operations and conduct of table games), language in subsection (c)(1), (3), (4), (6) and (10) was deleted as it referenced a dealing procedure in Midibaccarat that was deleted in a temporary rulemaking published at 40 Pa.B. 6943 (December 4, 2010). Therefore, the language is no longer applicable.

In Chapter 531 (relating to Roulette), operators may now offer a Five Adjacent Number Wager which allows patrons to place one wager on five adjacent positions on the Roulette wheel instead of placing five separate Straight Wagers on the layout.

In Chapter 535 (relating to Pai Gow), § 535.9 (relating to alternative dealing procedures) is amended to allow certificate holders to offer any of the traditional dealing styles in subsection (a)(1)—(9) instead of choosing only one alternative dealing style.

In § 539.1 (relating to Sic Bo table; Sic Bo shaker; physical characteristics), the requirement that a separate opaque cover on an automated Sic Bo shaker not be used is deleted since the cover is necessary to operate the automated shaker. Also, the requirement that the automated Sic Bo shaker have the name or logo of the certificate holder imprinted or impressed on it was deleted as it is not necessary for game protection on mounted automated shakers.

In § 549.20 (relating to the Royal Match 21 Wager), regarding Blackjack, Payout E has been deleted as this is not a pay table that will be utilized by a certificate holder.

In Chapter 561 (relating to Pai Gow Poker), an optional side bet, the Fortune Pai Gow Poker Progressive, was added to the game. The additional layout requirements and requirements for the progressive system were added to § 561.2 (relating to Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics). The card rankings

for the Progressive Payout Wager were added in § 561.6(h) (relating to Pai Gow Poker rankings; cards; poker hands). The procedures for completion of each round of play were amended. Section 561.13d (relating to Progressive Payout Wager) is added to address the payout odds and reset amounts for the progressive payout.

In Chapter 563 (relating to Texas Hold 'Em Bonus Poker), the physical characteristics of the table in § 563.2 (relating to Texas Hold 'Em Bonus Poker table physical characteristics) previously required that the payout odds for all permissible wagers be posted on a sign. This amendment requires that the payout odds be either posted on a sign or inscribed on the table layout, which is consistent with the layout requirements for other authorized games.

Affected Parties

This temporary rulemaking will allow certificate holders additional options on how to conduct table games at their licensed facilities.

Fiscal Impact

Commonwealth. The Board does not expect that this temporary rulemaking will have fiscal impact on the Board or other Commonwealth agency. Internal control procedures submitted by certificate holders regarding table games rules submissions will be reviewed by existing Board staff.

Political subdivisions. This temporary rulemaking will not have direct fiscal impact on political subdivisions of this Commonwealth. Eventually, host municipalities and counties will benefit from the local share funding that is mandated by Act 1.

Private sector. This temporary rulemaking will give certificate holders some additional flexibility as to how they conduct table games.

General public. This temporary rulemaking will not have direct fiscal impact on the general public.

Paperwork Requirements

If a certificate holder selects different options for the play at table games, the certificate holder will be required to submit an updated rules submission reflecting the changes.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how these temporary regulations might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-143.

Contact Person

The contact person for questions about this temporary rulemaking is Susan A. Yocum, Assistant Chief Counsel, (717) 265-8356.

Regulatory Review

Under 4 Pa.C.S. § 13A03, the Board is authorized to adopt temporary regulations which are not subject to sections 201—205 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1208), known as the Commonwealth Documents Law (CDL), the Regulatory Review Act (71 P. S. §§ 745.1—745.12) and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P. S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 2 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

- (1) Under 4 Pa.C.S. § 13A03, the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the CDL and sections 204(b) and 301(10) of the Commonwealth Attorneys Act.
- (2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

- (1) The regulations of the Board, 58 Pa. Code Chapters 525, 531, 535, 539, 549, 561 and 563, are amended by amending §§ 525.6, 531.4, 535.9, 539.1, 549.20, 561.2, 561.6, 561.7, 561.13 and 563.2 and by adding § 561.13d to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.
- (2) The temporary regulations are effective April 9, 2011.
- (3) The temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.
- (4) The temporary regulations are subject to amendment as deemed necessary by the Board.
- (5) The Chairperson of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

GREGORY C. FAJT,
Chairperson

Fiscal Note: 125-143. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 525. TABLE GAME INTERNAL CONTROLS

§ 525.6. Personnel assigned to the operations and conduct of table games.

* * * * *

(c) Certificate holders shall provide a sufficient number of floorpersons to supervise the operation of table games in accordance with the standards set forth in this subsection.

tion. A floorperson may not supervise more than the number of tables specified in one of the following paragraphs:

- (1) Four tables comprised of any combination of banking table games excluding:
 - (i) Baccarat.
 - (ii) Midibaccarat.
 - (iii) Craps.
 - (iv) Mini-Craps.
 - (v) Pai Gow.
- (2) One Baccarat table.
- (3) Two Midibaccarat tables.
- (4) One Midibaccarat and one table of any other banking table game excluding Baccarat, Craps, Mini-Craps and Pai Gow.
- (5) Three Craps tables.
- (6) One Craps table and one table of any other banking table game excluding Baccarat, Midibaccarat, Mini-Craps and Pai Gow.
- (7) One Mini-Craps table, if only one dealer is assigned to the table.
- (8) Two Mini-Craps tables, if there is a dealer and a stickperson assigned to the tables.
- (9) Two Pai Gow tables, if the tables are in a side-by-side configuration.
- (10) One Pai Gow table and one table of any other banking table game excluding Baccarat, Midibaccarat, Craps and Mini-Craps.
- (11) Eight Poker tables.
- (12) Ten Poker tables, if no floorperson assigned to Poker has any responsibilities for seating players.

* * * * *

CHAPTER 531. ROULETTE

§ 531.4. Placement of wagers.

* * * * *

(e) The wagers in the game of Roulette include:

- (1) A Straight Wager that the Roulette ball will come to rest in the compartment of the Roulette wheel that corresponds to a single number selected by the player. The player shall make a Straight Wager by placing a gaming chip or plaque within the box on the Roulette layout that contains the selected number.
 - (i) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), offer the option to make five simultaneous Straight Wagers by selecting five adjacent numbers on the Roulette wheel.
 - (ii) A certificate holder that offers this wager shall use a layout that includes a replica of the Roulette wheel.
 - (iii) A player shall make a Five Adjacent Number Wager by placing Roulette chips on the number indicated on the Roulette wheel replica that is the center number of the five adjacent numbers being selected.
 - (iv) A player making a Five Adjacent Number Wager shall be deemed to have made a separate Straight Wager of equal value on each of the five numbers selected.

* * * * *

CHAPTER 535. PAI GOW

§ 535.9. Alternative dealing procedures.

(a) As an alternative to the procedure in § 535.8 (relating to procedures for dealing the tiles), the dealer may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), use any of the following dealing styles:

* * * * *

CHAPTER 539. SIC BO

§ 539.1. Sic Bo table; Sic Bo shaker; physical characteristics.

* * * * *

(d) Sic Bo shall be played with a Sic Bo shaker approved by the Bureau of Gaming Operations, which shall be used to shake the dice in order to arrive at the winning combinations.

(1) A manual Sic Bo shaker shall be designed and constructed to maintain the integrity of the game and must, at a minimum, adhere to the following specifications:

(i) The Sic Bo shaker must have a compartment to secure the three dice and a separate cover which conceals the dice while the dealer is shaking the Sic Bo shaker. The compartment to secure the three dice must be transparent and the cover which conceals the dice must be opaque.

(ii) The Sic Bo shaker must have the capability of being sealed or locked to ensure the integrity of the dice contained inside the Sic Bo shaker.

(iii) The Sic Bo shaker must have the name or logo of the certificate holder imprinted or impressed thereon.

(2) An automated Sic Bo shaker, approved by the Bureau of Gaming Laboratory Operations, may be used in the game of Sic Bo, provided that:

(i) The shaker meets the requirements of paragraph (1)(i) and (ii).

(ii) The shaker, its location on the Sic Bo table and the procedures for shaking the dice are submitted to and approved by the Bureau of Gaming Operations.

(f) The Sic Bo shaker shall be the responsibility of the dealer and may never be left unattended while at the table.

CHAPTER 549. BLACKJACK

§ 549.20. Royal Match 21 Wager.

* * * * *

(g) The certificate holder shall pay out winning Royal Match 21 Wagers at the odds contained in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 521.2:

(1) If a single deck of cards is being used:

<i>Hand</i>	<i>Payout A</i>	<i>Payout B</i>
Royal Match	10 to 1	5 to 1
Suited Match	3 to 1	3 to 1
Crown Treasure	\$1,000	\$1,000

(2) If multiple decks of cards are being used:

<i>Hand</i>	<i>Payout C</i>	<i>Payout D</i>
Royal Match	30 to 1	25 to 1
Suited Match	2.5 to 1	2.5 to 1

<i>Hand</i>	<i>Payout C</i>	<i>Payout D</i>
Crown Treasure	\$1,000	\$1,000
	* * * *	* * * *

CHAPTER 561. PAI GOW POKER

§ 561.2. Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics.

(a) Pai Gow Poker shall be played at a table having on one side places for six players and on the opposite side a place for the dealer.

(b) The layout for a Pai Gow Poker table shall be approved by the Bureau of Gaming Operations and shall contain, at a minimum, the following:

(1) Six separate numbered betting areas for the players at the table.

(2) Two separate areas located below each betting area which shall be designated for the placement of the High and Low hands of that player.

(3) Two separate areas designated for the placement of the High and Low hands of the dealer.

(4) The name or logo of the certificate holder offering the game.

(5) If the certificate holder offers a Fortune Bonus Wager:

(i) A separate designated area for each player, located to the right of the player's betting area, designated for the placement of the Fortune Bonus Wager.

(ii) Inscriptions that advise patrons of the minimum and maximum wagers permitted. If the minimum and maximum wagers permitted are not inscribed on the layout, a sign identifying the minimum and maximum wagers permitted shall be posted at each Pai Gow Poker table.

(iii) Inscriptions that advise patrons of the payout odds and amounts for the Fortune Bonus Wager and Envy Bonus. If payout odds and amounts are not inscribed on the layout, a sign identifying the payout odds and amounts shall be posted at each Pai Gow Poker table.

(iv) Inscriptions that advise patrons of any payout limits as described in § 561.13a(f) (relating to Fortune Bonus Wager; Envy Bonus; payout odds; payout limitation). If payout limits are not inscribed on the layout, a sign identifying the payout limits shall be posted at each Pai Gow Poker table.

(6) If the certificate holder offers the Emperor's Treasure Wager:

(i) A separate designated area for each player, located to the right of the player's betting area, designed for the placement of the Emperor's Treasure Wager.

(ii) Inscriptions that advise patrons of the minimum and maximum wagers permitted. If the minimum and maximum wagers permitted are not inscribed on the layout, a sign identifying the minimum and maximum wagers permitted shall be posted at each Pai Gow Poker table.

(iii) Inscriptions that advise patrons of the payout odds and amounts for the Emperor's Treasure Wager and Envy Bonus. If the payout odds and amounts are not inscribed on the layout, a sign identifying the payout odds and amounts shall be posted at each Pai Gow Poker table.

(iv) Inscriptions that advise patrons of any payout limits as described in § 561.13b(f) (relating to Emperor's

Treasure Wager; Envy Bonus; payout odds; payout limitation). If payout limits are not inscribed on the layout, a sign identifying the payout limits shall be posted at each Pai Gow Poker table.

(7) If a certificate holder offers the Pai Gow Insurance Wager:

(i) A separate designated area for each player, located to the left of the player's betting area, designed for the placement of the Pai Gow Insurance Wager.

(ii) Inscriptions that advise patrons of the minimum and maximum wagers permitted. If the minimum and maximum wagers permitted are not inscribed on the layout, a sign identifying the minimum and maximum wagers permitted shall be posted at each Pai Gow Poker table.

(iii) Inscriptions that advise patrons of the payout odds for the Pai Gow Insurance Wager. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Pai Gow Poker table.

(iv) Inscriptions that advise patrons of any payout limits as described in § 561.13c(f) (relating to Pai Gow Insurance Wager; payout odds; payout limitation). If payout limits are not inscribed on the layout, a sign identifying the payout limits shall be posted at each Pai Gow Poker table.

(8) If the certificate holder offers a Progressive Payout Wager:

(i) A separate area for each player, located immediately behind the Low hand betting area, designated for the placement of the Progressive Payout Wager.

(ii) Inscriptions that advise patrons of the minimum and maximum wagers permitted. If the minimum and maximum wagers permitted are not inscribed on the layout, a sign identifying the minimum and maximum wagers permitted shall be posted at each Pai Gow Poker table.

(iii) Inscriptions that advise patrons of the payout odds and amounts for the Progressive Payout Wager. If payout odds and amounts are not inscribed on the layout, a sign identifying the payout odds and amounts shall be posted at each Pai Gow Poker table.

(c) Each Pai Gow Poker table must have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer, and in locations approved by the Bureau of Gaming Operations. The Bureau of Gaming Operations 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.

(d) Each Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

(e) Under § 561.8 (relating to Pai Gow Poker shaker and dice; computerized random number generator; button), Pai Gow Poker may be played with a container, to be known as a Pai Gow shaker, which shall be used to shake three dice before each hand of Pai Gow Poker is dealt to determine the starting position for the dealing or delivery of the cards. The Pai Gow shaker shall be designed and constructed to contain any feature the Bureau of Gaming Operations may require to maintain the integrity of the game and must, at a minimum, adhere to the following specifications:

(1) The Pai Gow Poker shaker must be capable of housing three dice and be designed to prevent the dice from being seen while the dealer is shaking it.

(2) The Pai Gow Poker shaker must have the name or identifying logo of the certificate holder imprinted or impressed thereon.

(f) If a certificate holder elects to use a computerized random number generator as permitted under § 561.8, the random number generator shall be approved by the Bureau of Gaming Laboratory Operations prior to its use.

(g) If the certificate holder offers a Progressive Payout Wager in accordance with § 561.13d (relating to Progressive Payout Wager), the Pai Gow Poker table must have a progressive table game system, in accordance with § 524.7 (relating to progressive table game systems), 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 recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

§ 561.6. Pai Gow Poker rankings; cards; poker hands.

* * * * *

(h) If a certificate holder offers the optional Progressive Payout Wager under § 561.13d (relating to Progressive Payout Wager), the following seven-card hands shall be used to determine the amount of the Progressive Payout Wager payment to a winning player:

(1) Seven-card straight flush is a hand consisting of seven cards of the same suit in consecutive ranking.

(2) Five aces, which is a seven-card 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.

(i) If a certificate holder offers the optional Progressive Payout Wager under § 561.13d, a joker may be used as any card to complete a seven-card straight flush, a royal flush or a straight flush.

§ 561.7. Wagers.

(a) All wagers at Pai Gow Poker shall be made by placing value chips or plaques on the appropriate betting area of the Pai Gow Poker layout or by placing a value chip onto the progressive wagering device at the player's betting position. Verbal wagers accompanied by cash may not be accepted at the game of Pai Gow Poker.

* * * * *

§ 561.13. Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish.

(a) After the cards have been dealt, each player shall set his hands by arranging the cards into a High hand

and a Low hand. When setting the two hands, the five-card High hand must be equal to or higher in rank than the two-card Low hand. For example, if the two-card hand contains a pair of sevens, the five-card hand must contain at least a pair of sevens and the three remaining cards.

(b) Each player at the table shall be responsible for setting his own hands and no other person except the dealer 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 its Rules of the Games Submission under § 521.2 (relating to table games Rules Submissions). Each player shall be required to keep the seven cards in full view of the dealer at all times. Once each player has set a High and Low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

(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 and Low hand. The dealer shall then place the two hands face up on the appropriate area of the layout.

(d) Each certificate holder shall submit to the Bureau of Gaming Operations in its Rules Submission under § 521.2, the manner in which it will require the hands of the dealer to be set.

(e) Unless a player has placed a Progress Payout Wager, a player may announce that he wishes to surrender his wager prior to the dealer exposing either of the two hands of that player as required under subsection (f). Once the player has announced his intention to surrender, the dealer shall immediately collect the wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. 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.

(f) After the dealer has set a High hand and a Low hand, the dealer shall expose both hands of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the High and Low hand of each player to the High and Low hand of the dealer and shall announce if the Pai Gow Poker wager of that player wins, loses or is a tie. If a player has placed a Progressive Payout Wager, the dealer shall also examine the seven cards of the player and announce if the Progressive Payout Wager of that player wins or loses.

(g) A Pai Gow Poker wager loses if:

(1) The High hand of the player is lower in rank than the High hand of the dealer and the Low hand of the player is lower in rank than the Low hand of the dealer.

(2) The High hand of the player is identical in rank to the High hand of the dealer or the Low hand of the player is identical in rank to the Low hand of the dealer and the other hand of the player is identical in rank or lower in rank than the other hand of the dealer.

(3) The High hand of the player was not set so as to rank equal to or higher than the Low hand of that player.

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

(h) All losing Pai Gow Poker wagers shall be immediately collected by the dealer and put in the table inventory container. All losing Pai Gow Poker hands shall also be collected.

(i) A Pai Gow Poker wager is a tie if:

(1) The High hand of the player is higher in rank than the High hand of the dealer, but the Low hand of the player is identical in rank to the Low hand of the dealer or lower in rank than the Low hand of the dealer.

(2) The High hand of the player is identical in rank to the High hand of the dealer or lower in rank than the High hand of the dealer, but the Low hand of the player is higher in rank than the Low hand of the dealer.

(j) If a Pai Gow Poker wager is a tie the dealer shall return the Pai Gow Poker wager to the player. Unless the player has a winning Progressive Payout Wager, the dealer shall immediately collect the cards of that player.

(k) A Pai Gow Poker wager wins if the High hand of the player is higher in rank than the High hand of the dealer and the Low hand of the player is higher in rank than the Low hand of the dealer. If a player has a winning Pai Gow Poker wager and a winning Progressive Payout Wager, the Pai Gow Poker wager shall be paid first.

(l) All hands that resulted in a winning Pai Gow Poker wager or winning Progressive Payout Wager shall remain face up on the layout. Winning wagers shall be paid after all hands are exposed. The dealer shall pay winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table.

(m) A winning Pai Gow Poker wager shall be paid off by a certificate holder at odds of 1 to 1, except that the certificate holder shall extract a vigorish, from the winning player in an amount equal to 5% of the amount won; provided, however, that when collecting the vigorish, the certificate holder may round off the vigorish to 25 cents or the next highest multiple of 25 cents. A certificate holder shall collect the vigorish from a player at the time the winning payout is made. After a winning Pai Gow Poker wager has been paid and the vigorish collected, the dealer shall then, if applicable, pay the winning Progressive Payout Wager of that player. Before paying a winning Progressive Payout Wager, the dealer shall, if necessary, reset the player's high hand and low hand to form the hand type yielding the highest progressive wager payout to which the player is entitled. Except as required in subsection (o), the dealer shall then collect the cards from that player.

(n) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute.

(o) If a player has won a Progressive Payout Wager that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

§ 561.13d. Progressive Payout Wager.

(a) A certificate holder may, if specified in its Rules Submission under § 521.2 (relating to table games Rules Submissions), offer a player the option of placing a Progressive Payout Wager on whether the player will be dealt a hand type as set forth in subsection (f).

(b) Prior to the first card being dealt for each round of play, each player who has placed a wager in accordance with § 561.7 (relating to wagers) may make a Progressive Payout Wager by placing a value chip onto the separate area designated for that player.

(c) The dealer shall then announce “no more bets” and use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout 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 and deal the cards in accordance with the dealing procedures in § 561.9, § 561.10 or § 561.11 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards by hand; and procedures for dealing the cards from an automated dealing shoe).

(d) A winning Progressive Payout Wager shall be paid in accordance with the payout table in subsection (f) prior to the collection of the winning player’s cards by the dealer. A winning Progressive Payout Wager shall be paid irrespective of the outcome of the player’s Pai Gow Poker wager. Prior to making a payout for a Progressive Payout Wager, the dealer shall:

- (1) Verify that the hand is a winning hand.
- (2) Verify that the appropriate light on the progressive table game system has been illuminated.
- (3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder’s approved internal control procedures.

(e) If a player has won the progressive payout that is 10% or greater of the jackpot amount on the progressive meter, the progressive payout shall not be paid from the table inventory container. Other winning Progressive Payout Wagers shall be paid from the table inventory container.

(f) The certificate holder shall pay out winning Progressive Payout Wagers at the amounts contained in the following payout table:

<i>Hand</i>	<i>Payout</i>
7 card Straight Flush	100%
5 Aces	10%
Royal Flush	500 for 1
Straight Flush	100 for 1
Four-of-a-Kind	75 for 1
Full House	4 for 1

(g) The initial and reset amounts must be contained in the certificate holder’s Rules Submission filed in accordance with § 521.2 and shall be at least \$2,000.

(h) Winning Progressive Payout Wagers shall be paid in accordance with the amount on the meter when it is the player’s turn to be paid, irrespective of the amount that was on the meter when the player placed the wager or when the dealer dealt the player’s cards.

CHAPTER 563. TEXAS HOLD ’EM BONUS POKER
§ 563.2. Texas Hold ’Em Bonus Poker table physical characteristics.

(a) Texas Hold ’Em Bonus Poker shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a Texas Hold ’Em Bonus Poker table shall be approved by the Bureau of Gaming Operations and must contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate designated betting area at each player position for the placement of Ante Wagers.
- (3) Three separate designated areas at each player position for the placement of Flop, Turn and River Wagers, located immediately above the Ante Wager betting area as viewed by a player.
- (4) A separate designated area at each player position for the placement of an optional Bonus Wager, located immediately above and to the right of the Flop wager betting area as viewed by a player.
- (5) A separate designated area for the placement of the five community cards, located in the center of the table between the table inventory container and the player betting areas.
- (6) A separate designated area for the placement of the dealer’s two cards, located between the table inventory container and the designated area for the community cards described in paragraph (5).

(7) An inscription indicating that an Ante Wager shall receive a payout if a winning hand has a qualifying rank, preselected by the certificate holder in the certificate holder’s Rules Submission under § 521.2 (relating to table games Rules Submissions), of straight or higher or flush or higher.

(8) Inscriptions that advise patrons of the payout odds for all authorized wagers. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Texas Hold ’Em Bonus Poker table.

(c) Each Texas Hold ’Em Bonus Poker table must have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer, in locations approved by the Bureau of Gaming Operations. The Bureau of Gaming Operations 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.

(d) Each Texas Hold ’Em Bonus Poker table must have a discard rack securely attached to the top of the dealer’s side of the table in a location approved by the Bureau of Gaming Operations.

[Pa.B. Doc. No. 11-604. Filed for public inspection April 8, 2011, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 423a, 433a, 435a, 436a AND 513a]

Employee and Horsemen's Organization Revisions

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(14) and (30) (relating to general and specific powers) and specific authority in 4 Pa.C.S. §§ 1308, 1311, 1311.1, 1311.2, 1317.2, 1321, 1406 and 1518(a)(13), proposes to amend Chapters 423a, 433a, 435a, 436a and 513a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking amends provisions regarding horsemen's organizations and employees to improve the clarity and effectiveness of the Board's regulations.

Explanation of Amendments to Chapters 423a, 433a, 435a, 436a and 513a

In Chapter 423a (relating to applications), proposed amendments to § 423a.4 (relating to deficient and abandoned applications) clarify that Board staff notifies applicants and establishes time periods to cure deficiencies. Subsection (c) would be added to allow the Bureau of Licensing to close an application that has not been completed but that is not recommended for denial. The applications referenced in subsection (c) are most commonly gaming employees who have decided not to accept employment with a licensee. The Board currently has over 200 applications that are stale—in open status but not recommended for denial. The Bureau of Licensing would send notice in accordance with subsection (a). If the applicant did not respond or no longer wished to complete the application process, the application would be closed.

Proposed § 423a.4(d), currently subsection (c), references only applications that have been denied by the Board. The reference to abandoned applications is in proposed subsection (c).

In Chapter 433a (relating to principal licenses), the definition of "publicly traded" is proposed in § 433a.1 (relating to definitions) to include classes of securities that are listed on a foreign exchange. There is an inconsistency between the definition of "controlling interest" in § 401a.3 (relating to definitions) which acknowledges both domestic and foreign corporations and the definition of "publicly traded" which addresses only securities regulated under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78nn). This results in different treatment for foreign versus domestically held, publicly traded stock. For instance, if a person passively owns more than 1% but less than 5% of an entity that is required to be licensed and that entity is publicly traded on a domestic exchange, that person would not be required to be licensed. However, if the person had the same interest in a security listed on a foreign exchange, that person would currently be required to be licensed as a principal. This presents practical problems because of the nature of publicly traded stock which is exchanged daily. This amendment will treat domestic and foreign stock exchanges equally, provided that the Bureau of

Licensing determines that the foreign exchange has similar listing and reporting requirements as those exchanges regulated under the Securities Exchange Act of 1934. The Bureau of Licensing has reviewed and determined that exchanges in Canada, Australia and Japan have similar listing and reporting requirements as those regulated under the Securities Exchange Act of 1934.

Section 433a.9(b) (relating to principal license term and renewal) is amended so only principals of manufacturers and suppliers, which are eligible for initial licensure, are required to complete an initial annual renewal. Unlike slot machine licensees, licensed manufacturers and suppliers are subject to an initial 1-year renewal. The manufacturer or supplier license, however, can only be renewed if the principals, including the affiliates, intermediaries, subsidiaries, holding companies, officers, directors and owners also apply for renewal and are investigated. If, however, a person is applying for a principal license with a manufacturer or supplier that has already completed that initial 1-year renewal, the principal would not be subject to an initial annual renewal.

In § 435a.1 (relating to general provisions), a number of amendments have been proposed to clarify the existing provisions governing which licensed, permitted or registered individuals are prohibited from engaging in gaming as well as the duration and scope of the limitation. These subsections have been expanded to cover both registered and certified gaming service providers which reflects the changes in the dollar thresholds that were part of the amendments to Chapter 437a (relating to vendor certification and registration). See 40 Pa.B. 975 (February 20, 2010).

Proposed amendments to § 435a.1(k) clarify that the prohibition on gaming applies to holders of a license or permit who are currently employed by a slot machine licensee, licensed manufacturer, manufacturer designee, gaming related gaming service provider, supplier or gaming junket enterprise. The duration of the prohibition is stated in proposed subsection (n).

Proposed amendments to § 435a.1(l) clarify that this subsection applies to registered employees of a slot machine licensee. The 30-day duration of an employee's prohibition is currently stated in subsection (n).

Proposed § 435a.1(m) restricts employees who are not required to obtain a permit or registration from wagering in the licensed facility where they work. They may wager at any other licensed facility or at the same facility where they worked once their employment has ended.

Proposed § 435a.1(n) applies the same wagering restrictions imposed on employees of a registered or certified gaming service provider to qualifiers of registered or certified gaming service provider. Similarly, proposed subsection (o), currently subsection (m), is amended to include holders of an occupation permit or registration. These amendments will make the prohibition on gaming uniform for registered and certified gaming service provider qualifiers and employees.

In § 435a.2 (relating to key employee license), the number of copies required to be submitted as part of an application for a key employee license has been reduced from three to one. Because of changes in the Bureau of Licensing's internal procedures, three copies are no longer needed. Additionally, subsections (g)—(j) regarding waivers of key employee licensing requirements are proposed to be deleted. This provision has never been used.

Instead, the Bureau of Licensing has relied on the definition of "key employee" to determine whether or not licensure is required.

In § 435a.3 (relating to occupation permit), the number of copies required to be submitted as part of an application for an occupation permit has been reduced from three to one. As previously stated, changes to the Bureau of Licensing's internal procedures now only require one copy of the application. In subsections (a), (e) and (f), the scope has been expanded to cover both registered and certified gaming service providers and certified gaming related gaming service providers.

As was done in §§ 435a.2 and 435a.3, proposed amendments to § 435a.5 (relating to nongaming employee registration) reduce the number of copies required for an application for a nongaming employee registration from three to one and the scope of these provisions has been expanded to cover both registered and certified gaming service providers. The term "licensed entity" is replaced with "slot machine licensee" because other types of licensed entities, such as manufacturers and suppliers, do not have nongaming employees. Nongaming employees are specific to slot machine licensees and certified and registered gaming service providers.

Proposed amendments to § 435a.8(a) (relating to temporary credentials for principals, key employees and gaming employees) permit the Board to issue temporary credentials to gaming employees as well as principals and key employees. Additionally, the language specifying when the Board may issue a temporary credential has been deleted as there are instances when the investigation has been done but the individual will not be issued a permit. Proposed subsection (d) allows Board staff to add conditions such as restricting the use of a temporary credential for a limited purpose or type of event.

In Chapter 436a (relating to horsemen's organizations), § 436a.1 (relating to definitions) is amended for clarity and to reflect the terms used in the body of the horsemen's organization regulations. The term "director" is in the proposed definition of "officer" since it is not a separately defined term. In § 436a.2 (relating to horsemen's organization notification), horsemen's organizations may no longer complete a registration application but must file a notification form with the Bureau of Licensing. The organization must be required to file an updated notification form within 30 days of any change in information.

Proposed amendments to § 436a.3 (relating to permitting of officers, representatives and fiduciaries) are made for clarity. The renewal term for permits is amended from 1 year to 3 years in conformity with amendments to 4 Pa.C.S. Part II (relating to gaming).

In § 436a.4 (relating to responsibilities of horsemen's organizations, officers, representatives and fiduciaries), proposed changes are made for clarity. This section is reorganized so all reporting requirements are in proposed subsection (e).

Section 436a.5(6) (relating to fiduciaries), regarding reporting requirements, is deleted. The text is moved to proposed § 436a.4(e).

In Chapter 513a (relating to underage gaming), § 513a.2 (relating to exclusion requirements) is amended so only individuals over 21 years of age are permitted on the gaming floor unless the individual is over 18 years of age and authorized to be on the gaming floor for employ-

ment purposes. This proposed amendment is consistent with amendments to 4 Pa.C.S. § 1518(a)(13) (relating to prohibited acts; penalties).

Affected Parties

This proposed rulemaking will affect applicants for and holders of licenses, permits and registrations issued by the Board as well as the horsemen's organizations.

Fiscal Impact

Commonwealth. This proposed rulemaking will not have fiscal impact on the Board or other Commonwealth agencies.

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

Private sector. Individuals applying for a license, permit or registration will not have to submit as many copies of their applications. The cost and time savings from this amendment is expected to be negligible. Additionally, horsemen's organizations will no longer file a registration application but must file a notification form. The cost savings from this change is \$2,000 every 4 years since there is not an application fee associated with the notification form.

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

Paperwork Requirements

Individuals applying for a license, permit or registration will have to provide only one copy instead of three copies of their applications. Although horsemen's organizations will no longer complete a registration application, they must still complete a notification form and file the necessary statements, so there likely will not be a reduction in the amount of paperwork for horsemen's organizations.

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*, to Susan Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-144.

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum, Assistant Chief Counsel, (717) 265-8356.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 30, 2011, 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 website at www.pgcb.state.pa.us.

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.

GREGORY C. FAJT,
Chairperson

Fiscal Note: 125-144. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart B. LICENSING, PERMITTING, CERTIFICATION AND REGISTRATION

CHAPTER 423a. APPLICATIONS

§ 423a.4. Deficient and abandoned applications.

(a) If an application is found to be deficient, [the] Board staff will notify the applicant of the deficiencies in the application and permit the applicant to cure the deficiencies within a time period prescribed by [the] Board staff.

(b) Failure to provide the information necessary to cure the deficiencies required under subsection (a) may result in the [immediate] denial of the application or in the application being declared abandoned.

(c) The Bureau of Licensing may close and declare abandoned an incomplete or deficient application which is not recommended for denial. An applicant whose application has been declared abandoned may file a new application at any time.

(d) When an application is denied [or declared abandoned] under subsection (b), the applicant will be given written notice of this action [by the Board]. An applicant whose application is denied will be subject [ot] to the restrictions on filing a new application in § 423a.7 (relating to restriction on application after denial or revocation). [An applicant whose application has been declared abandoned may file a new application at any time.]

CHAPTER 433a. PRINCIPAL LICENSES

§ 433a.1. Definitions.

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

* * * * *

Publicly traded—A person, or a subsidiary of a person, that has a class of equity securities listed on an exchange that is regulated under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78nn) or on a foreign stock exchange determined by the Bureau of Licensing to have similar listing and reporting requirements to those exchanges that are regulated under the Securities Exchange Act of 1934.

* * * * *

§ 433a.9. Principal license term and renewal.

* * * * *

(b) Notwithstanding subsection (a), a principal of a manufacturer or supplier which is eligible for its initial license shall be subject to an initial annual renewal for each slot machine or table game license held by the manufacturer or supplier. [Renewals] Principal renewals thereafter will be valid for 3 years from the date of the approval of the renewal of the license by the Board.

* * * * *

CHAPTER 435a. EMPLOYEES

§ 435a.1. General provisions.

* * * * *

(k) An individual who holds a license or permit and is currently employed by a slot machine licensee, manufacturer, manufacturer designee, gaming service provider, gaming related gaming service provider, supplier or gaming junket enterprise in a position that requires a license or permit may not wager at any licensed facility in this Commonwealth. The licensed or permitted individual shall wait at least 30 days following the date that the individual is no longer employed in a position that requires a license or permit before the individual may wager at any licensed facility in this Commonwealth.

(l) A registrant [or employee of a slot machine licensee who is not required to obtain a license or permit] employed by a slot machine licensee may not wager at the licensed facility in which the registrant [or employee] is currently employed. The individual shall wait at least 30 days following the date that the individual is no longer employed in a position that requires a registration before the individual may wager at the licensed facility in which the individual was formerly employed.

(m) An employee of a slot machine licensee who is not required to obtain a license, permit or registration may not wager at the licensed facility in which the employee is currently employed.

(n) A qualifier of a gaming junket enterprise, registered or certified gaming service provider or a gaming related gaming service provider may not wager at the licensed facility where the registered or certified gaming service provider or gaming related gaming service provider is currently providing services.

(o) A permittee or registrant who is an employee of a registered or certified gaming service provider [or an employee of a certified gaming service provider who has direct contact with the employees of a licensed facility] may not wager at the licensed facility where the registered or certified gaming service provider is currently providing services.

[(n) A licensed, permitted or registered employee shall wait at least 30 days following the date that the employee either leaves employment with a slot machine licensee or is laid off or terminated from employment with a slot machine licensee before the employee may wager at the licensed facility in which the employee was formerly employed.

(o)] (p) An individual required to obtain a license or permit by this part shall demonstrate that he is current and not in arrears on any financial obligation owed to the Commonwealth or any subdivision thereof, including court-ordered child-support payments.

[(p)] (q) An applicant for an occupation permit or nongaming employee registration shall be at least 18 years of age.

[(q)] (r) Slot machine licensees, manufacturers, manufacturer designees, suppliers [and], registered or certified gaming service providers and gaming related gaming service providers that hire an individual who holds a license, permit or registration issued by the Board shall contact the Bureau of Licensing to confirm that the individual's license, permit or registration is in good standing prior to allowing the individual to work in the licensed facility.

§ 435a.2. Key employee license.

(a) An applicant for a key employee license from the Board, unless otherwise directed by the Board, shall submit:

(1) An original and [three copies] one copy of a completed Multi-Jurisdictional Personal History Disclosure Form.

(2) An original and [three copies] one copy of a completed Principal/Key Employee Form—Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form.

* * * * *

[(g) An individual who is a key employee may request in writing that the Board waive the obligation to be licensed as a key employee by:

(1) Filing an original and three copies of a Principal/Key Employee Waiver Form.

(2) The nonrefundable waiver application fee posted on the Board's website (www.pgcb.state.pa.us).

(h) As part of the waiver request, the individual shall be required to demonstrate one of the following:

(1) The individual is not assigned to an applicant's or licensee's gaming operations in this Commonwealth.

(2) The individual's duties do not have an effect on or require contact with slot machines for use or play in this Commonwealth.

(i) The request for a waiver must include, at a minimum, the following:

(1) A description of the individual's title, duties and responsibilities with the applicant, licensee or with any of its affiliates, intermediaries, subsidiaries or holding companies.

(2) A certification by the chief executive officer stating that the employee is not assigned to the licensee's gaming operations in this Commonwealth or that the employee's duties do not have an effect on or require contact with slot machines for use or play in this Commonwealth.

(j) An applicant for a key employee waiver will be required to reimburse the Board for any additional costs, based on the actual expenses incurred by the Board, in conducting the background investigation.]

§ 435a.3. Occupation permit.

(a) An applicant for an occupation permit shall submit:

(1) An original and [three copies] one copy of the Gaming Employee Application and Disclosure Information Form or an electronic application using the SLOTS Link system. When an application for an occupational permit is filed using SLOTS Link, the additional documents required, including releases, shall be submitted to the Board:

* * * * *

(ii) Within 10 days of the submission of the SLOTS Link application by an applicant for or holder of a manufacturer, manufacturer designee, or supplier license or [an applicant for or holder of] a gaming related gaming service provider certification or gaming service provider registration or certification.

* * * * *

(e) An individual who wishes to receive an occupation permit under this chapter may authorize an applicant for or holder of a slot machine, management company, manufacturer, manufacturer designee or supplier license or gaming related gaming service provider certification or gaming service provider registration or certification to file an application on the individual's behalf.

(f) A permit issued under this section shall be valid for employment with any licensed entity, any certified gaming related gaming service provider or any registered or certified gaming service provider.

§ 435a.5. Nongaming employee registration.

(a) An applicant for a nongaming employee registration shall submit:

(1) An original and [three copies] one copy of the Nongaming Employee Registration Form or an electronic application using the SLOTS Link system. When an application for a nongaming employee registration is filed using SLOTS Link, the additional documents required, including releases, shall be submitted to the Board:

* * * * *

(ii) Within 10 days of the submission of the SLOTS Link application by an applicant for or holder of a manufacturer, manufacturer designee, or supplier license or an applicant for or holder of a gaming service provider registration or certification.

* * * * *

(d) An individual who wishes to receive a nongaming employee registration under this chapter may authorize an applicant for or holder of a slot machine license or a gaming service provider registration or certification to file an application on the individual's behalf.

(e) A registration issued under this section is valid for employment with any [licensed entity] slot machine licensee or registered or certified gaming service provider.

§ 435a.8. Temporary credentials for principals [and], key employees and gaming employees.

(a) A temporary credential may be issued by the Board to a principal [or a], key employee [whose investigation for licensure by the Board is pending but whose presence is necessary in the licensed facility] or gaming employee.

(b) A temporary credential issued under this section is void a maximum of 180 days after the date of its issuance.

(c) The Board may extend the expiration date of a temporary credential if the Board determines additional time is needed to complete [the] an investigation for licensure.

(d) Board staff may impose conditions on the holders of temporary credentials.

CHAPTER 436a. HORSEMEN'S ORGANIZATIONS
§ 436a.1. Definitions.

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

* * * * *

Health benefits—A plan, fund or program which is maintained by a horsemen's organization and [that] provides healthcare benefits to horsemen [at licensed racetracks], their families and employees[,] and others designated by the rules and eligibility requirements of the organization consistent with the act.

* * * * *

Horsemen's organization—A trade association which represents the majority of horsemen at a licensed racetrack and which exists for the purpose, in whole or in part, of negotiating a horsemen's contract and resolving grievances, disputes or other matters with management of a licensed racing entity[, as defined by section 1103 of the act (relating to definitions)].

[Horsemen's organization office—An officer or person authorized to perform the functions of president, vice president, secretary/treasurer or other executive function of a horsemen's organization, and any member of its board of directors or similar governing body.

Horsemen's organization representative—A person, compensated or not, who is authorized to represent a horsemen's organization or members thereof in matters relating to horsemen's agreements with a licensed racing entity, or who undertakes on behalf of a horsemen's organization or members thereof to promote, facilitate or otherwise influence the relations between a horsemen's organization and a licensed racing entity.]

Officer—A president, vice president, secretary, treasurer, director, governing body member, and any individual routinely performing corresponding functions, who is authorized to act on behalf of the horsemen's organization.

Pension benefits—Any plan, fund or program which is maintained by a horsemen's organization and [that funds a program which] provides retirement income to horsemen [at licensed racetracks], their families and employees, and any others [so] designated by the rules and eligibility requirements of the organization consistent with the act.

Representative—

(i) An individual who is authorized to represent a horsemen's organization or members thereof in matters relating to horsemen's agreements with a licensed racing entity.

(ii) An individual who promotes, facilitates or otherwise influences the relations between a horsemen's organization and a licensed racing entity.

(iii) The individual may be compensated.

§ 436a.2. Horsemen's organization [registration] notification.

(a) [Each] A horsemen's organization or affiliate representing horsemen shall [register] file a completed Horsemen's Organization Notification Form and supporting documentation with the [Board in accordance with this section] Bureau of Licensing.

(b) [Each horsemen's organization shall file a completed Horsemen's Organization Registration Statement with the registration fee posted on the Board's website (pgcb.state.pa.us).

(c) Horsemen's organization applicants and registrants shall be subject to the general application requirements of Chapters 421a and 423a (relating to general provisions; and applications).] A horsemen's organization or affiliate representing horsemen shall file an updated version of the Horsemen's Organization Notification Form and supporting documentation with the Bureau of Licensing within 30 days of a change in the information contained therein.

[(d)] (c) Horsemen's organization [registrations] notifications will be valid for 4 years from the date on which the [registration is approved by the Board] notification is filed with the Bureau of Licensing.

[(e)] (d) Renewals [will be valid for 4 years and] shall be filed no later than [120] 60 days prior to the expiration of the current [registration] notification period.

[(f) A registration for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the horsemen's organization that the Board has approved or denied the renewal of the registration.]

§ 436a.3. Permitting of officers, [directors,] representatives and fiduciaries.

(a) Every officer, [director or] representative [of a horsemen's organization who is currently elected or appointed and authorized to act on behalf of the horsemen's organization, or any individual authorized to act in a fiduciary capacity on behalf of horsemen] or fiduciary shall be permitted in accordance with this section.

(b) Every officer[, director or] representative [of a horsemen's organization who is currently elected or appointed and authorized to act on behalf of the horsemen's organization, or any individual authorized to act in a fiduciary capacity on behalf of horsemen] or fiduciary shall file a completed Horsemen's Permit Application Form with the permit fee posted on the Board's website (pgcb.state.pa.us).

* * * * *

(d) Permits issued under this section will be valid for [1 year] 3 years from the date on which the permit is approved by the Board.

(e) Renewals will be valid for [1 year] 3 years and shall be filed at least 60 days prior to the expiration of the current permit.

* * * * *

(g) If a current officer, [director or] representative [of a horsemen's organization] or fiduciary is denied a permit required by this section, that officer, [director or] representative or fiduciary shall be precluded from engaging in any activity [of the horsemen's organization] involving gaming funds allocated to, received by, or distributed from the horsemen's organization.

(h) A person who is a third-party provider of a health or pension benefit plan to a horsemen's organization shall be exempt from the requirements of this section. [A licensed attorney or accountant representing a horsemen's organization who does not meet the conditions in subsection (a) shall also be exempt under this section.]

§ 436a.4. Responsibilities of horsemen's organizations, officers, [directors,] representatives and fiduciaries.

(a) Horsemen's organizations, officers, [directors,] representatives and fiduciaries shall ensure that the funds allocated to the horsemen and horsemen's organizations are used for the benefit of all horsemen of this Commonwealth.

(b) Funds allocated to horsemen's organizations for benevolent programs [are] must be kept separate and apart from funds acquired from other sources and may not to be used for the personal benefit of any officer, [director,] representative or fiduciary of a horsemen's organization except to the extent that the officer, [director,] representative or fiduciary [of the horsemen's organization] is a participant in the benevolent programs on the same basis as other eligible program participants.

(c) Horsemen's organizations shall ensure that the funds allocated for thoroughbred jockeys and standardbred drivers are paid in accordance with the act and that the distribution of these proceeds is reflected in the annual audit required under section 1406(e) of the act (relating to distributions from Pennsylvania Race Horse Development Fund).

(d) Horsemen's organizations shall maintain adequate records of receipts and distributions of the funds allocated to them under the act.

[(d) By March 30 of each calendar year, each horsemen's organization shall file with the Board two copies of its audited financial statements together with any management letters or reports written thereon as prepared by its independent auditor. These filings will be available for public inspection during the normal operating hours of the Board at its Harrisburg office.]

(e) Horsemen's organizations shall file with the Board:

(1) A quarterly report, due by the 20th day of the month following the end of each calendar quarter, which shall account for:

(i) The amounts received from the Pennsylvania Race Horse Development Fund through the Category 1 licensee conducting live racing into the account established by and for the benefit of the horsemen under section 1406(a) of the act.

(ii) The amounts distributed for purse supplements from the account established by and for the benefit of the horsemen under section 1406(a) of the act.

(iii) The amounts received for health and pension benefits under section 1406(a) of the act.

(2) Two copies of its audited financial statements together with management letters or reports as prepared by a certified public accountant. Audited financial statements shall be filed by March 30 of each calendar year and reflect funds received from the Pennsylvania Race Horse Development Fund which are used or intended to be used for purse supplements and health and pension benefits under section 1406(a) of the act. These filings will be available for public inspection during the normal operating hours of the Board at its Harrisburg office.

§ 436a.5. Fiduciaries.

Fiduciaries shall:

* * * * *

(6) [File quarterly reports with the Board within 20 days of the end of each calendar quarter. The reports must detail the expenditure of funds designated by the act for the benefit of horsemen and be in a format and manner designated by the Board.

(7) [Provide documents to the Board as may be requested in the conduct of investigations or to ensure compliance with the act and this chapter.

§ 436a.6. Health and pension benefit plans.

(a) Contracts for health and pension benefit plans established for the benefit of members of a horsemen's organization [must;] shall be submitted to the Board at least 90 days prior to the proposed effective date of the contract. Contracts are not effective until approved by the Board.

[(1) be submitted to the Board for review at least 90 days prior to the proposed effective date of the contract.

(2) Not be effective until approved by the Board.]

* * * * *

Subpart J. EXCLUSION OF PERSONS

CHAPTER 513a. UNDERAGE GAMING

§ 513a.2. Exclusion requirements.

(a) An individual under [18] 21 years of age may not enter or be on the gaming floor of a licensed facility except that an individual 18 years of age or older who is employed by a slot machine licensee, a gaming service provider, the Board or other regulatory or emergency response agency may enter and remain in that area while engaged in the performance of the individual's employment duties.

* * * * *

[Pa.B. Doc. No. 11-605. Filed for public inspection April 8, 2011, 9:00 a.m.]

STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

[49 PA. CODE CH. 42]
Continuing Competency

The State Board of Occupational Therapy Education and Licensure (Board) proposes to amend § 42.17 (relating to fees) and to adopt §§ 42.51—42.58 (relating to continued competency) to read as set forth in Annex A.

Effective Date

The proposed rulemaking will take effect upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P. S. § 1505(b)) authorizes the Board to promulgate and adopt rules and regulations consistent with the act as it deems necessary for the performance of its duties and the proper administration of the act. Section 15(a) of the act (63 P. S. § 1515(a)) further provides that “[t]he board may establish additional requirements for licensure renewal to assure continued competency of the applying occupational therapist.”

Background and Purpose

Board members and licensees have long recognized the need for licensed occupational therapists to maintain and expand their professional knowledge and skills. The purpose of this proposed rulemaking is to implement the requirement for continued competency in section 15(a) of the act and establish continued competency requirements to enable licensed occupational therapists to provide “the highest possible degree of professional care and conduct” to the citizens of this Commonwealth as provided in section 2 of the act (63 P. S. § 1502).

Currently, the Board does not have continued competency requirements. Consequently, the Board proposes to add fees for continued competency providers and course approvals in § 42.17 and institute continued competency requirements for occupational therapists as a condition of licensure renewal and reactivation in proposed §§ 42.51—42.58. The Board has not included occupational therapy assistants in this proposal as section 15(a) of the act only authorizes continued competency for occupational therapists. The Board notes, however, that if Senate Bill 187 is enacted prior to these regulations being adopted as final-form, the Board will add occupational therapy assistants to this proposed rulemaking.

Description of Amendments

§ 42.17. Fees

This proposed rulemaking would amend and rename § 42.17 to add a fee schedule regarding continued competency. Applicants seeking provider approval under proposed § 42.54(d) (relating to program providers) would be required to pay a \$40 application and biennial renewal fee. Applicants seeking course approval under proposed § 42.54(e) would also be required to pay a \$40 application fee. These fees are based upon the actual amount of time it takes to process these applications.

§ 42.51. Purpose

Proposed § 42.51 sets forth the purpose of the continued competency requirements consistent with the Board’s statutory authority.

§ 42.52. Definitions

The Board proposes to define ten terms specifically applicable to continued competency in § 42.52: “contact hour,” “continued competency,” “educational courses,” “level I fieldwork,” “level II fieldwork,” “mentor,” “mentorship,” “mentorship agreement,” “professional continued competence portfolio” and “protégé.”

A “contact hour” is defined as 50-60 minutes of participation in a continued competency activity, depending on the type of activity. Generally, educational courses are 50 minutes in duration while fieldwork, mentorship, writing and editing are measured in 60-minute increments. Unlike continuing education, which is a prerequisite for biennial renewal for many licensing professions, “continued competency” is a multidimensional process by which a licensed occupational therapist demonstrates the development and maintenance of knowledge, skills, attitudes, judgment, abilities and ethics. A “professional continued competence portfolio” is a document that evidences completion of continued competency activities plus a self-assessment as required under § 42.57 (relating to documentation and reporting of continued competency activities).

The remaining definitions stem from the acceptable continued competency activities in § 42.55 (relating to acceptable continued competency activities). The proposed definition of “educational courses” clarifies that these courses include academic and continuing education courses delivered by both onsite and distance education. Another acceptable continued competency activity is fieldwork as described in the American Occupational Therapy Association’s (AOTA) Standards for an Accredited Educational Program for the Occupational Therapist. The definitions of “level I fieldwork” and “level II fieldwork” distinguish between basic and advanced fieldwork experiences. Specific information about level I fieldwork and level II fieldwork is available on the AOTA’s web site at <http://www.aota.org/Educate/EdRes/Fieldwork.aspx>.

In addition to education courses and fieldwork, another acceptable continued competency activity is mentorship. As explained in the proposed definition, a mentorship is a formalized one-on-one teaching/learning relationship specified in a “mentorship agreement” between a “mentor” and a “protégé.” A “mentor” includes a licensed occupational therapist as well as another person who holds a license, certificate or registration from one of the health licensing boards within the Bureau of Professional and Occupational Affairs or who is currently certified by the Department of Education.

§ 42.53. Continued competency requirements

Effective the first biennium following publication of the final-form rulemaking, § 42.53 would require licensed occupational therapists to complete a minimum of 24 contact hours in at least two acceptable continued competency activities each biennium, after their first biennial renewal period, as a condition of licensure renewal. Occupational therapists seeking to reactivate lapsed or inactive licenses would be required to show compliance with the continued competency requirement during the biennium immediately preceding the request for reactivation. Additionally, licensed occupational therapists whose licenses have been suspended or revoked would be required to complete the continued competency contact hour

requirement for each biennium in which the license was suspended or revoked as a condition for reinstatement.

§ 42.54. *Program providers*

Under proposed § 42.54, licensed occupational therapists would have three options for provider approvals: complete activities from preapproved providers; complete activities from Board-approved providers; or seek individual approval for a specific activity provided by an entity that is neither preapproved nor Board-approved. Proposed subsection (c) contains the list of 12 preapproved providers including State, National and international occupational therapy associations; the AOTA's Approved Provider Program; the Department of Education; Federal and State programs related to health care; accredited colleges, universities and postsecondary vocational schools; and National and State professional health care and education organizations.

Proposed subsection (d) contains the criteria the Board will use to evaluate providers for Board approval. At least 60 days prior to the beginning of the activity, but no later than 90 days before the end of the biennial renewal period, a provider seeking Board approval would be required to provide the Board with its learning objectives, criteria for selecting and evaluating faculty instructors, subject matter and instructional materials and its evaluation procedures. Unlike preapproved providers, Board-approved providers must renew their approval biennially.

A licensed occupational therapist who wishes to obtain credit for an activity that is provided by an entity that is neither preapproved nor Board-approved may seek approval for the activity no later than 90 days before the end of the biennial period based on the criteria in proposed subsection (e). Following review, the Board will advise the licensed occupational therapist whether the activity has been approved and the number of contact hours awarded.

§ 42.55. *Acceptable continued competency activities*

Proposed § 42.55 describes the various activities for which continued competency contact hours may be awarded, the maximum number of hours that may be awarded and the documentation required for that activity if it differs from the general requirements in proposed § 42.57(a). These activities include continuing education courses, academic courses, mentorship, fieldwork supervision, professional writing and editing, presentation, and instruction. Irrespective of the provider, contact hours would only be granted for activities that are relevant to the practice of occupational therapy and may not involve marketing, office management, financial gain or self-promotion.

For educational courses, under proposed subsection (b)(1), licensed occupational therapists may earn a maximum aggregate of 18 contact hours. The number of contact hours for continuing education courses equals the number of directed hours while one credit equals 15 contact hours for academic courses.

Mentorship activities are delineated in subsection (b)(2). Prior to the beginning of a mentorship, the mentor and the protégé would enter into a mentorship agreement establishing the scope of the mentorship. Following the mentorship, the mentor would provide the protégé a postmentorship summary documenting the time spent and the outcomes of the mentorship program. Both a mentor and a protégé may earn 1 contact hour for every 5 hours of mentorship activities up to 6 contact hours per biennium. A copy of the mentorship agreement and the

postmentorship summary would be included in the professional continued competence portfolio.

Proposed subsection (b)(3) describes fieldwork supervision. Licensed occupational therapists may earn 1 contact hour per student up to 3 contact hours per biennium for serving as a supervisor for level I fieldwork and 3 contact hours per student up to 6 contact hours per biennium for serving as a supervisor for level II fieldwork. In addition to the documentation required to be produced upon audit in proposed § 42.57(a), fieldwork documentation would have to be verified by the educational program.

Proposed subsection (b)(4) describes professional writing activities. Licensed occupational therapists may earn a maximum of 15 contact hours in this activity. The Board proposes to award 15 contact hours for writing a book, 10 contact hours for writing a chapter in a book, 10 contact hours for writing an article published in a peer-reviewed journal and 5 contact hours for writing an article published in a non-peer-reviewed journal. Although the Board is cognizant that numerous hours are spent writing prior to the document being published, for continued competency contact hour purposes, the Board will only award credit for professional writing activities in the biennium in which the book, chapter or article is published.

Like professional writing, the Board proposes capping the number of contact hours to be awarded for editing to a maximum of 15 contact hours per biennium. Proposed subsection (b)(5) would award a maximum of 10 contact hours for editing a book and 1 contact hour, up to a maximum of 6 contact hours, for each article reviewed for a professional journal.

Proposed subsection (b)(6) addresses presentation and instruction. A licensed occupational therapist may earn a maximum of 12 contact hours in this activity per biennium. Two contact hours would be awarded for each 60-minute peer-reviewed or invited presentation.

§ 42.56. *Waivers of continued competency requirements and curing deficiencies*

As proposed, § 42.56 would allow the Board to waive continued competency requirements for licensees due to illness, injury or emergency. Licensees would be required to request a waiver no later than 60 days before the end of the renewal year unless the applicant proves to the satisfaction of the Board that it was impracticable to do so (as in the instance when a licensee is enrolled for a continued competency activity 15 days before the end of the biennial period and suffers a heart attack preventing the licensee from attending the activity). The proposed rulemaking would also permit licensed occupational therapists to make up deficiencies after presenting a request, along with a remediation plan, to the Board to make up the required contact hours.

§ 42.57. *Documentation and reporting of continued competency activities*

Proposed § 42.57 describes the documentation and reporting responsibilities for providers and for licensed occupational therapists. Regardless of whether the provider is preapproved or Board-approved, subsection (a) requires providers to provide attendees with completion documentation following the activity. The documentation must include the name of the participant, provider and instructor, the title, date and location of the activity, and number of contact hours awarded.

Subsection (b) describes documentation requirements for licensed occupational therapists. For each biennial

period, a licensed occupational therapist would be required to prepare a professional continued competency portfolio which contains verification of completion of the required continued competency contact hours as well as a self-assessment. Licensed occupational therapists would be required to retain the portfolio for 4 years following the last day of the renewal period in which the continued competence activities were earned and to provide them to the Board when requested. It also provides notice that licensed occupational therapists who have not completed the required hours of continued competency activities may not be eligible for renewal until the hours are completed, unless a waiver has been granted or a plan for curing deficiencies has been approved by the Board under § 42.56.

§ 42.58. *Disciplinary action*

Finally, § 42.58 advises licensed occupational therapists that failure to comply with the continued competency requirements or submission of false documentation in connection with those requirements subjects the licensed occupational therapist to disciplinary action under section 16 of the act (63 P.S. § 1516). Procedures and standards for due process stemming from a disciplinary action are in 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the act of July 2, 1993 (P.L. 345, No. 48) (63 P.S. §§ 2201—2207) and case law.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking will have a fiscal impact on the regulated community in that each licensed occupational therapist would incur the costs associated with completion of 24 contact hours of continued competency activities as a condition of biennial renewal. Due to the variety of ways an occupational therapist may obtain contact hours for continued competency purposes, it is impossible to derive an appropriate estimate as to costs for the regulated community. For instance, an occupational therapist could obtain contact hours through a mentoring relationship, professional writing and editing, fieldwork supervision, journal review or presentation. None of these activities necessarily impose an additional cost on the licensee. While some educational courses can be expensive, many Internet-based courses are extremely inexpensive and in some cases free. Nonetheless, the Board estimates an average cost of compliance with the continued competency requirements to be \$300 per licensee annually. In addition, the proposed rulemaking would create additional paperwork for the regulated community in that licensed occupational therapists would be required to retain documentation supporting the completion of the continued competency activities for 4 years and provide that documentation to the Board upon request.

The proposed rulemaking will also have a fiscal impact on the Board in that the Board will be required to expend resources reviewing Board-approved provider and individual activity applications. However, the Board anticipates that there will be no more than 30 applications to review in each category and those costs will be borne by the applicants through the proposed \$40 fee. In addition, the Board will incur costs and increased paperwork associated with audit and enforcement of the continued competency requirements.

Sunset Date

The Board continuously monitors the effectiveness of the regulations. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 25, 2011, 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 the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey 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.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Judith Pachter Schulder, Board Counsel, State Board of Occupational Therapy Education and Licensure, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

ELLEN L. KOLODNER,
Chairperson

Fiscal Note: 16A-677. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

LICENSURE

§ 42.17. [**Licensure fees**] **Fees.**

* * * * *

(c) The fee schedule for continued competency providers and courses shall be as follows:

- Initial provider approval \$40**
- Biennial renewal of provider approval \$40**
- Individual activity approval \$40**

(Editor’s Note: Sections 42.51—42.58 are new and printed in regular type to enhance readability.)

CONTINUED COMPETENCY

§ 42.51. **Purpose.**

The purpose of §§ 42.52—42.58 is to implement section 15(a) of the act (63 P.S. § 1515(a)), which authorizes the Board to establish additional requirements for licensure renewal to assure continued competency to achieve the legislative purpose in section 2 of the act (63 P.S. § 1502) to assure the highest degree of professional care and conduct on the part of licensed occupational therapists.

§ 42.52. Definitions.

The following words and terms, when used in §§ 42.51 and 42.53—42.58, have the following meanings, unless the context clearly indicates otherwise:

Contact hour—A unit of measure for a continued competency activity that equals 50-60 minutes of participation.

Continued competency—The multidimensional process by which a licensed occupational therapist demonstrates the development and maintenance of the knowledge, skills, attitudes, judgment, abilities and ethics necessary to practice occupational therapy in a variety of roles and settings.

Educational courses—Academic and continuing education courses delivered onsite or by distance education.

Level I fieldwork—Introductory fieldwork experiences that are a component of an educational program in occupational therapy in which students develop a basic understanding of the needs of clients through directed observation and supervised participation in the occupational therapy process.

Level II fieldwork—Advanced fieldwork experiences that are a component of an educational program in occupational therapy that provide multiple occupational therapy services to a variety of clients in multiple settings.

Mentor—A person who holds a current license, certificate or registration from a health-related board within the Bureau of Professional and Occupational Affairs or is currently certified by the Department of Education who is engaged in a one-on-one teaching/coaching relationship with a licensed occupational therapist for the stated purpose of imparting specific knowledge and skills related to the practice of occupational therapy.

Mentorship—Participation in a formalized, one-on-one teaching/learning relationship for the purposes of building a licensed occupational therapist's capacity to practice occupational therapy.

Mentorship agreement—A written agreement between the mentor and the protégé that outlines specific goals and objectives and designates a plan of activities.

Professional continued competence portfolio—A document, which includes a self-assessment, that evidences the licensed occupational therapist's completion of the continued competency requirement in § 42.53 (relating to continued competency requirements).

Protégé—A licensed occupational therapist who is engaged in a one-on-one relationship with another health care professional for the stated purpose of acquiring specific skills and knowledge related to the practice of occupational therapy.

§ 42.53. Continued competency requirements.

(a) Beginning with the _____ (*Editor's Note:* The blank represents the first complete licensure biennium following the date of adoption of this proposed rulemaking.) biennium, a licensed occupational therapist shall complete a minimum of 24 contact hours in each biennial period in at least two of the acceptable continued competency activities in § 42.55 (relating to acceptable continued competency activities) as a condition of licensure renewal.

(b) For the first biennial renewal after a licensed occupational therapist obtains a license, the licensed occupational therapist is exempt from complying with subsection (a).

(c) A licensed occupational therapist seeking to reactivate a lapsed or inactive license shall show compliance with the continued competency contact hour requirement during the 2-year period immediately preceding application for reactivation.

(d) A licensed occupational therapist whose license has been suspended or revoked shall complete the required continued competency contact hours for each licensure biennium in which the license was suspended or revoked as a condition of reinstatement.

§ 42.54. Program providers.

(a) *General.* Activities offered by preapproved and Board-approved providers will be accepted as satisfying part of the continued competency requirement. It is the responsibility of the licensed occupational therapist to ascertain the approval status of the provider before undertaking a continued competency activity.

(b) *Rights reserved.* The Board reserves the right to reject an activity if it is outside of the scope described in § 42.55(a) (relating to acceptable continued competency activities) or otherwise unacceptable because of presentation or content.

(c) *Preapproved providers.* The Board has preapproved educational courses provided, coprovided or approved by the following entities:

- (1) A State, National or international occupational therapy association.
- (2) The American Occupational Therapy Association's Approved Provider Program.
- (3) American Society of Hand Therapists.
- (4) Association for Driver Rehabilitation Specialists.
- (5) The Department of Education.
- (6) An accredited college or university or post-secondary vocational technical school or institution.
- (7) Federal or State government programs related to health care.
- (8) A provider approved by another health licensing board within the Bureau of Professional and Occupational Affairs or another State licensure board.
- (9) National and State professional health care organizations.
- (10) National and State professional education organizations.
- (11) National Alliance for the Mentally Ill.
- (12) Case Management Society of America.

(d) *Board-approved providers.* The Board will consider for approval, on a biennial basis, providers who wish to offer activities described in § 42.55(a) as follows:

- (1) The provider seeking approval shall submit an application to the Board at least 60 days prior to the beginning of the activity but no later than 90 days before the end of the biennial renewal period. The applicant will be notified of approval or disapproval in writing.
- (2) The Board will not approve a provider unless it:
 - (i) Offers activities with specific learning objectives.
 - (ii) Has criteria for selecting and evaluating faculty instructors, subject matter and instructional materials.
 - (iii) Has a procedure for determining licensees' perceptions of the extent to which the objectives have been met.

(e) *Individual activity approval.*

(1) A licensed occupational therapist may request approval of contact hours for continued competency activities not otherwise approved by submitting an application for approval to the Board no later than 90 days before the end of the biennial renewal period that includes the following:

(i) The title of the activity and number of contact hours.

(ii) The description of the activity from the program catalogue or brochure.

(iii) The learning objectives.

(iv) The name and qualifications of the presenter.

(v) An assessment of the activity.

(2) Upon review of the completed application, the Board will notify the applicant whether the activity has been approved and, if approved, the number of contact hours that will be awarded.

(f) *Withdrawal of approval.* The Board may withdraw approval of a provider for cause. The provider will be notified in writing of the reasons for withdrawal of approval.

§ 42.55. Acceptable continued competency activities.

(a) Irrespective of the provider, contact hours will only be awarded for continued competency activities that are relevant to the practice of occupational therapy including direct care, management, education and research. Contact hours will not be awarded for activities related to marketing, office management, financial gain or self-promotion.

(b) The following activities are acceptable as long as the specific activity complies with subsection (a):

(1) Educational courses.

(i) A licensed occupational therapist may earn a maximum aggregate of 18 contact hours in educational courses per biennium.

(ii) For continuing education courses, contact hours equal the number of directed learning hours.

(iii) For academic courses, one credit equals 15 contact hours.

(iv) Instead of the documentation required under § 42.57(a) (relating to documentation and reporting of continued competency activities), acceptable documentation of educational courses consists of an official transcript or certificate of completion indicating the name and date of the course and a description of the course from the school catalog or brochure.

(2) Mentorship.

(i) Prior to beginning a mentorship, the mentor and the protégé shall enter into a mentorship agreement.

(ii) At the conclusion of the mentorship, the mentor shall provide a postmentorship summary documenting the time spent in and outcomes of the mentoring program. A copy of the summary shall be provided to the protégé and maintained by the mentor and the protégé for 4 years.

(iii) The mentor and the protégé may earn 1 contact hour for every 5 hours spent in mentorship activities up to 6 contact hours per biennium.

(iv) Instead of the documentation required under § 42.57(a), acceptable documentation consists of a copy of the mentorship agreement and the postmentorship summary.

(3) Fieldwork supervision.

(i) A licensed occupational therapist may earn:

(A) One contact hour per student, up to 3 contact hours per biennium, for serving as a supervisor for level I fieldwork.

(B) Three contact hours per student, up to 6 contact hours per biennium, for serving as a supervisor for level II fieldwork.

(ii) In addition to the information required under § 42.57(a), the educational program must verify the name of the supervisor, the names and number of students being supervised, the locations where the fieldwork is being performed and the dates and level of fieldwork.

(4) Professional writing.

(i) A licensed occupational therapist may earn the following contact hours, up to a maximum of 15 per biennium, for professional writing:

(A) Fifteen contact hours for writing a book.

(B) Ten contact hours for writing a chapter in a book.

(C) Ten contact hours for writing an article published in a peer-reviewed journal.

(D) Five contact hours for writing an article published in a non-peer-reviewed journal.

(ii) Credit will be awarded for the biennium in which the book, chapter or article is published.

(iii) Instead of the documentation required under § 42.57(a), acceptable documentation of professional writing consists of a copy of the editor's or publisher's acceptance letter and a copy of the article, chapter or the cover page of the book including the title, author, source and date of publication, and editor.

(5) Editing.

(i) A licensed occupational therapist may earn the following contact hours, up to a maximum of 15 per biennium, for editing:

(A) A maximum of 10 contact hours may be earned for editing a book relevant to occupational therapy.

(B) A maximum of 6 contact hours per biennium may be earned for serving as a reviewer for a professional journal, provided that only 1 contact hour may be accrued for each article reviewed.

(ii) Instead of the documentation required under § 42.57(a), acceptable documentation of editing activities consists of the following:

(A) For editing a book, a copy of the editor's or publisher's acceptance letter and the cover page of the book including the title, author, source and date of publication, and editor.

(B) For serving as a reviewer, a copy of a letter from the editor acknowledging the number of articles reviewed.

(6) Presentation and instruction.

(i) A licensed occupational therapist may earn 2 contact hours, up to a maximum of 12 per biennium, for each 60-minute peer-reviewed or invited presentation or workshop related to occupational therapy.

(ii) Credit will only be awarded one time per biennium for each presentation regardless of the number of times the material is presented.

(iii) In addition to the information required under § 42.57(a), the provider shall provide a copy of the official program, schedule or syllabus including presentation title, date, hours of presentation and attestation by the provider.

§ 42.56. Waivers of continued competency requirements and curing deficiencies.

(a) *Waivers.*

(1) The Board may waive all or part of the continued competency activity requirements in the case of a serious illness, injury or emergency which prevents a licensee from completing the continued competency requirements.

(2) A licensed occupational therapist seeking a waiver shall submit a written request for a waiver and provide documentary evidence to the satisfaction of the Board of the serious illness, injury or emergency which would preclude the completion of the continued competency requirements.

(3) The request for a waiver shall be filed with the Board 60 days before the end of the biennium in which the contact hours are being accrued unless the licensed occupational therapist proves to the satisfaction of the Board that it was impracticable to do so.

(b) *Curing deficiencies.* A licensed occupational therapist with a deficiency in contact hours may apply to the Board in writing for leave to make up the contact hours in arrears. The request must include an explanation of why the deficiency occurred and a plan, along with the estimated time needed, for curing it. Requests will be evaluated by the Board on a case-by-case basis and will be approved or disapproved at its discretion.

§ 42.57. Documentation and reporting of continued competency activities.

(a) A provider of a continued competency activity shall furnish to each participant documentation, signed by the provider, which includes the following, unless otherwise directed in § 42.56 (relating to waivers of continued competency requirements and curing deficiencies):

(1) The name of the participant, provider and instructor.

(2) The title, date and location of the activity.

(3) The number of contact hours awarded.

(b) A licensed occupational therapist shall:

(1) Prepare a professional continued competence portfolio for each biennial period and retain it for 4 years following the last day of the biennial period during which the continued competency activities were completed.

(2) Verify completion of the required contact hours of continued competency activities when the license is renewed. A licensed occupational therapist who has not completed the required hours of continued competency activities will not be eligible for renewal until the hours are completed, unless a waiver or extension has been granted or a plan to cure the deficiency has been approved by the Board under this section.

(3) Provide a copy of the professional continued competence portfolio to the Board within 30 days of notification of an audit.

§ 42.58. Disciplinary action.

A licensed occupational therapist who fails to comply with the continued competency activity requirements or the audit requirements or submits false documents in connection with the continued competency requirement will be subject to disciplinary action under section 16 of the act (63 P. S. § 1516).

[Pa.B. Doc. No. 11-606. Filed for public inspection April 8, 2011, 9:00 a.m.]

NOTICES

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Emergency Shelter Grant Program

The Department of Community and Economic Development (Department), Center for Community Financing, is anticipating applying for funding through the United States Department of Housing and Urban Development (HUD).

The Emergency Shelter Grant Program (program) is established within Part B of subchapter IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C.A. §§ 11371—11378). The program authorizes grants for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain operating expenses and essential services in connection with emergency shelters for the homeless and for homeless prevention activities. The program is designed to be the first step in a continuum of assistance to enable homeless individuals and families to move toward independent living, as well as to prevent homelessness.

One copy of the application may be submitted by local governments to the Department's Customer Service Center, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 in accordance with the Department's single application requirements. A hardcopy of the fully executed application must be sent to the Department Customer Service Center at the address listed previously and a copy also be sent to the appropriate regional office. The application window will open on April 2, 2011, and close at 5 p.m. on June 3, 2011. Applications received prior to or after these dates may not be considered for funding. The cutoff date may be expedited if the Department receives the contract from HUD sooner than expected.

Application forms and instructions may be obtained by contacting the Department's Center for Community Financing in Harrisburg at (717) 787-5327 or the Department's Regional Offices. A copy may also be downloaded from the Department's web site at www.newPA.com. Persons with a disability who wish to submit an application in accordance with the provisions stated herein and who require assistance with that application and persons who require copies of this notice in an alternate format (large type, Braille, and the like) should contact Ed Geiger, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-5327, to discuss how the Department may best accommodate their needs. The following is the listing of Department Regional Offices and the counties they serve:

Regional Offices

Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
801 Market Street, Suite 6106
Philadelphia, PA 19107
(215) 560-2256

Northeast

Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
409 Lackawanna Avenue
3rd Floor, Oppenheim Building
Scranton, PA 18503
(570) 963-4571

Central

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York, Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties.

Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120
(717) 720-7300

Southwest

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties

Department of Community and Economic Development
301 5th Avenue, Suite 250
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development
100 State Street, Suite 205
Erie, PA 16507
(814) 871-4241

Main Office

Center for Community Financing
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120
(717) 787-5327

C. ALAN WALKER,
Acting Secretary

[Pa.B. Doc. No. 11-607. Filed for public inspection April 8, 2011, 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, April 20, 2011, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholt at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Joan Dupes directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY DUNN,
Acting Secretary

[Pa.B. Doc. No. 11-608. Filed for public inspection April 8, 2011, 9:00 a.m.]

Pennsylvania Recreational Trails Advisory Board Meeting

The Pennsylvania Recreational Trails Advisory Board to the Bureau of Recreation and Conservation in the Depart-

ment of Conservation and Natural Resources (Department) will hold a meeting on Tuesday, April 12, 2011, at 2:15 p.m. in the Dauphin County Wildwood Park Nature Center, 100 Wildwood Way, Harrisburg, PA. For directions, go to <http://wildwoodlake.org/contact/directions.aspx>.

Questions concerning this meeting or agenda items can be directed to Vanyla Tierney, (717) 783-2654.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Jennifer F. Gardner at (717) 772-3839 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY DUNN,
Acting Secretary

[Pa.B. Doc. No. 11-609. Filed for public inspection April 8, 2011, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, actions and special notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0012998 / IW	Atlas Minerals & Chemicals, Inc. 1227 Valley Road Mertztown, PA 19539-0038	Berks County / Longswamp Township	Toad Creek / 2-C	Y
PA0088111 / IW	Fire Chiefs & Firefighters Association of York County 330 Emigh Road York, PA 17406	York County / Manchester Township	UNT Codorus Creek / 7-H	Y
PA0086762— IW / GWCU	IESI PA Blue Ridge Landfill Corporation PO Box 399 Scotland, PA 17254	Franklin County / Greene Township	UNT Phillamann Run / 13-C	Y
PA0087173—SEW	High Point Baptist Chapel PO Box 188 Geigertown, PA 19523-0188	Berks County Robeson Township	Hay Creek / 3-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0028371	Youngsville Borough STP Youngsville Borough 40 Railroad Street Youngsville, PA 16371	Warren County Youngsville Borough	Brokenstraw Creek 16-B	Y
PA0021521	Smethport Borough Authority STP P. O. Box 152, Smethport, PA 16749-0152	McKean County Smethport Borough	Potato Creek 16-C	Y
PA0101478	SNPJ Recreation Center 270 Martin Road Enon Valley, PA 16120	Lawrence County North Beaver Township	Sugarcreek 20-B	Y
PA0022608	Molded Fiber Glass Tray Company 6175 U.S. Highway 6 Linesville, PA 16424	Crawford County Pine Township	Unnamed tributary of the Pymatuning Reservoir (Shenango River) 20-A	Y
PA0223107	Big Run Area Municipal Authority P. O. Box 477 Big Run, PA 15715	Jefferson Henderson Township	Mahoning Creek 17-D	Y

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

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

Application No. PA0248631, Concentrated Animal Feeding Operation (CAFO), **Star Rock Services, Inc.**, 175 Chestnut Grove Road, Conestoga, Pennsylvania 17516.

Star Rock Services, Inc. has submitted an application for an Individual NPDES permit for an existing CAFO known as Heindel Steer Farm, located at 13845 Ted Wallace Road, Brogue, Pennsylvania 17309 in Chanceford Township, **York County**.

The CAFO is situated near West Branch Tom’s Run in Watershed 7-I, which is classified for trout stocking fishery. The CAFO is designed to maintain an animal population of approximately 1,925 animal equivalent units (AEU) consisting of 2,250 steers and heifers. Manure is collected and stored in two underneath concrete storage pits and one aboveground concrete circular storage tank. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. You may make an appointment to review the files by calling the File Review Coordinator at 717-705-4732.

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

Application No. PA0259811, Concentrated Animal Feeding Operation (CAFO), **Chiou Hog Farm, LLC (Timber Ridge Farm)**, 312 Hammonton Place, Silver Spring, MD 20904.

Chiou Hog Farm, LLC has submitted an application for an Individual NPDES permit for an existing CAFO known as Timber Ridge Farm, located at 9699 Timber Ridge Road, Big Cove Tannery, Pennsylvania in Belfast Township, **Fulton County**.

The CAFO is situated near an unnamed tributary of Tonoloway Creek in Watershed 13-B, which is classified for warm water fishery. The CAFO is designed to maintain an animal population of approximately 1,179.9 animal equivalent units (AEU) consisting of 9,000 finishing swine. Manure is collected in two HDPE lined earthen clay lagoons. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. You may make an appointment to review the files by calling the File Review Coordinator at 717.705.4732.

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

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

PA0033880, Sewage, SIC Code 4952, **Boyertown Area School District**, 1131 Montgomery Avenue, Boyertown, PA 19512-1299. Facility Name: New Hanover Upper Frederick Elementary School STP. This existing facility is located in New Hanover Township, **Montgomery 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 to Swamp Creek, is located in State Water Plan watershed 3-E 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 0.01 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (GPD)	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 ₅	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	1.5	XXX	3.0

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

1. Operator Notification
2. Abandon STP When Municipal Sewers Available
3. Adopt Remedial Measures
4. No Stormwater

5. Acquire Necessary Property Rights
6. Dry Stream Discharge
7. Change of Ownership
8. Proper Sludge Disposal
9. 2/Month Monitoring
10. Laboratory Certification
11. Chlorine Minimization
12. Fecal Coliform Reporting

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.

PA0026603, Sewage, SIC 4952, **Borough of Ambler**, 122 East Butler Avenue, Ambler, PA 19002-4476.

This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit for discharge of treated effluent and site stormwater from Ambler Borough Sewage Treatment Plant.

The receiving stream, Wissahickon Creek, is in the State Water Plan watershed 3F and is classified for: TSF, MF, water supply, recreation, and fish consumption. The nearest downstream public water supply intake for the Philadelphia Water Department is located on the Schuylkill River and is approximately 13 miles below the point of discharge. The monitoring requirement for aluminum at Outfall 001 is based on a proposed site-specific criterion of 1.54 mg/l. The modified criterion is based on a water effect ratio of 2.05, applied to the criterion maximum concentration (acute criterion) for fish and aquatic life.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.5 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(05/01-10/31)	10	15		20
(11/01-04/30)	20	30		40
Total Suspended Solids	30	45		60
NH ₃ -N				
(05/01-10/31)	1.5			3.0
(11/01-04/30)	4.5			9.0
Dissolved Oxygen	7.0, Inst. min.			
pH (Std. Units)	6.0, Inst. min.			9.0
Fecal Coliform (col/100 ml)	200			1,000*
Ortho-Phosphorus as P				
(04/01-10/31)	1.0			2.0
(11/01-03/31)	4.0			8.0
Aluminum	Monitor		Monitor	
Copper, Total	Monitor		Monitor	
Chromium, Hexavalent	Monitor		Monitor	
Chromium, Total	Monitor		Monitor	
Silver, Total	Monitor		Monitor	
Lead, Total	Monitor		Monitor	
Arsenic, Total	Monitor		Monitor	
Cadmium, Total	Monitor		Monitor	
Mercury, Total	Monitor		Monitor	
Nickel, Total	Monitor		Monitor	
Zinc, Total	Monitor		Monitor	
Cyanide, Free	Monitor		Monitor	
Selenium, Total	Monitor		Monitor	
Phenolics, Total	Monitor		Monitor	
Hardness as CaCO ₃	Monitor		Monitor	
Total Residual Chlorine	0.1			0.3
(NO ₂ +NO ₃) as N	Monitor			Monitor
Total Dissolved Solids	1,000			2,500

* From May 1 through September 30, not to exceed 1,000 col/100 ml at any time. From October 1 through April 30, not to exceed 1,000 col/100 ml in greater than ten percent of the samples.

The proposed effluent limits for Stormwater Outfall 002 are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor		Monitor	
COD	Monitor		Monitor	
Oil and Grease	Monitor		Monitor	
pH (Std. Units)	Monitor		Monitor	
Total Suspended Solids	Monitor		Monitor	
Total Kjeldahl Nitrogen	Monitor		Monitor	
Total Phosphorus	Monitor		Monitor	
Iron, Dissolved	Monitor		Monitor	
Fecal Coliform (col/100 ml)	Monitor		Monitor	

In addition to the effluent limits, the permit contains the following major special conditions:

1. Notification of Designation of Responsible Operator
2. Definition of Average Weekly
3. Remedial Measures if Public Nuisance
4. No Stormwater to Sanitary Sewers
5. Necessary Property Rights
6. Specification of Test Methods
7. Proper Sludge Handling and Disposal
8. Operator Training
9. Whole Effluent Toxicity Testing with Renewal
10. Instantaneous Maximum Limitations
11. Operations and Maintenance Plan
12. Laboratory Certification
13. Upstream Monitoring
14. Bypass Reporting
15. Fecal Coliform Reporting
16. Sanitary Sewer Overflow Condition
17. Stormwater Requirements
18. Pretreatment Program

The EPA waiver is not in effect.

PA0053384, Sewage, **Assembly Hall of Jehovah's Witnesses**, P. O. Box 338, Buckingham, PA 18912. This facility is located in Buckingham Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from a facility know as Jehovah's Witnesses, located at 4414 New Hope Road.

The receiving stream, unnamed tributary (Pa. Stream Code 2612) to Mill Creek, is in the State Water Plan watershed 2F and is classified for: WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for Aqua PA, Inc. located on Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 8,000 gallons per day.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum mg/l</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₅					
(05-01 to 10-31)			10		20
(11-01 to 04-30)			20		40
Total Suspended Solids			10		20
Ammonia as N					
(05-01 to 10-31)			2.0		4.0
(11-01 to 04-30)			6.0		12
Total Residual Chlorine			0.13		0.30
Phosphorus as P			Monitor/Report		
Dissolved Oxygen	Minimum of 4.0 mg/l at all times				

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
pH	Within limits of 6.0 to 9.0 Standard Units at all times				
Fecal Coliform	200 #/100 ml as a geometric mean, nor greater than 1,000 #/100 ml				

In addition to the effluent limits, the permit contains the following major special conditions:

1. Designation of Responsible Operator
2. Abandon STP when Public Sewer Available
3. Remedial Measures if Public Nuisance
4. No Stormwater to Sewers
5. Necessary Property Rights
6. Small Stream Discharge
7. Change in Ownership
8. Residual Chlorine Dosages
9. Proper Sludge Disposal
10. TMDL/WLA Analysis
11. Operator Training
12. I-Max Limits
13. Laboratory Certification

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

PA0061590, Sewage, SIC Code 4939, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. Facility Name: Eagle Rock Wastewater Treatment Facility. This existing facility is located in North Union Township, **Schuylkill 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, Tomhicken Creek, is located in State Water Plan watershed 05E 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 based on a design flow of 0.35 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.35	XXX	0.82
CBOD ₅	73	XXX	XXX	25	XXX	50
Total Suspended Solids	87	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	16	XXX	XXX	5.5	XXX	11
Nov 1 - Apr 30	48	XXX	XXX	16.5	XXX	33

The proposed effluent limits for Outfall 001 based on a design flow of 0.98 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.35	XXX	0.82

<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>
CBOD ₅	204	XXX	XXX	25	XXX	50
Total Suspended Solids	245	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	45	XXX	XXX	5.5	XXX	11
Nov 1 - Apr 30	135	XXX	XXX	16.5	XXX	33

The proposed effluent limits for Outfall 001 based on a design flow of 1.318 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
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.26	XXX	0.62
CBOD ₅	270	XXX	XXX	25	XXX	50
Total Suspended Solids	330	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	49	XXX	XXX	4.5	XXX	9.0
Nov 1 - Apr 30	148	XXX	XXX	13.5	XXX	27

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report **		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	24,073*			
Net Total Phosphorus	Report	3,210*			

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin upon permit issuance. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR - Annual Nutrient Summary by November of each year.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR - Annual Nutrient Summary by November of each year.

The permit contains the following major special conditions:

- Chesapeake Bay Nutrient Requirements
- Whole Effluent Toxicity Testing

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

The EPA Waiver is not in effect.

PA0047325, Industrial Waste, SIC Code 4911, **PPL Electric Utilities Corp**, 769 Salem Boulevard, Berwick, PA 18603-6828. Facility Name: Susquehanna Steam Electric Station. This existing facility is located in Salem Township, **Luzerne County**.

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

The receiving stream, Susquehanna River, is located in State Water Plan watershed 5-B 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 070 Stormwater.

<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>
pH (S.U.)	XXX	XXX	XXX	report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	report	XXX	XXX

The proposed effluent limits for Outfall 071 are based on a design flow of 13.89 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>Daily Maximum</i>	<i>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
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.50
Ammonia-Nitrogen	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Total Chromium	XXX	XXX	XXX	0.2	0.2	XXX
Total Zinc	XXX	XXX	XXX	1.0	1.0	XXX

The proposed effluent limits for Outfall 072 are based on a design flow of 0.009 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	100	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30.0

The proposed effluent limits for Outfall 073 are based on a design flow of 0.008 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	100	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30.0

The proposed effluent limits for Outfall 074 are based on a design flow of 0.008 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	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30.0

The proposed effluent limits for Outfall 075 Stormwater.

<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>
pH (S.U.)	XXX	XXX	XXX	report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	report	XXX	XXX

The proposed effluent limits for Outfall 079 are based on a design flow of 0.08 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 Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.0
CBOD ₅	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 Geo Mean	1,000	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	10,000	XXX

The proposed effluent limits for Outfall 080 Stormwater.

<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>
pH (S.U.)	XXX	XXX	XXX	report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	report	XXX	XXX

The proposed effluent limits for Outfall 371 are based on a design flow of 0.001 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
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 071.

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

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

- Chemical Additives
- Stormwater
- 316(b)
- ELG 423 Specific Special Conditions
- Chesapeake Bay Strategy

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

The EPA Waiver is not in effect.

Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000

PA0022276, Sewage, **Southmoreland School District**, 609 Parker Avenue, Scottdale, PA 15683-1048. Facility Name: Southmoreland School District STP. This existing facility is located in East Huntingdon Township, **Westmoreland 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 to Stauffer 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 0.021 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.021	XXX	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 ₅	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	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	6.5	XXX	13.0
Nov 1 - Apr 30	XXX	XXX	XXX	19.5	XXX	39.0

The EPA Waiver is in effect.

PA0000515, Sewage, **Allison Park Industrial Complex**, 5745 Ellsworth Avenue, Pittsburgh, PA 15232-1740. Facility Name: Allison Park Industrial Complex STP. This existing facility is located in Hampton Township, **Allegheny 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), Pine Creek, is located in State Water Plan watershed 18-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 0.0005MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.0005	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD ₅	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	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
				Geo Mean		

The EPA Waiver is in effect.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

PA0023124, Sewage, SIC Code 4952, **Albion Borough**, 26 Smock Avenue, Albion, PA 16401. Facility Name: Albion Borough WWTP. This existing facility is located in Conneaut Township, **Erie 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), Conneaut Creek (Outfall 001) and the East Branch Conneaut Creek (Outfalls 002 & 003), are located in State Water Plan watershed 15-A and are classified for Warm Water Fishes (Conneaut Creek), Cold Water Fishes (East Branch Conneaut Creek) and Migratory Fishes, aquatic life, water supply and recreation. The discharge(s) are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
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	0.4	XXX	1.3

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
CBOD ₅						
May 1 - Oct 31	198	292	XXX	17	25	34
Nov 1 - Apr 30	292	467	XXX	25	40	50
Total Suspended Solids	350	525	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	64	XXX	XXX	5.5	XXX	11
Nov 1 - Apr 30	187	XXX	XXX	16	XXX	32
Total Phosphorus	12	XXX	XXX	1.0	XXX	XXX
Total Aluminum	12.9	XXX	XXX	1.1	XXX	2.2

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

This discharge shall consist of uncontaminated stormwater runoff from the sewage treatment plant site.

The proposed effluent limits for Outfall 003 are based on a design flow of 1.4 MGD.

This outfall is for emergency use only. Any discharge from this outfall shall meet the same effluent limitations and monitoring requirements imposed on Outfall 001.

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

- Superceded effluent limits in Water Quality Management permits
- Chlorine Minimization
- Stormwater Best Management Practices
- Whole Effluent Toxicity Testing for the permit renewal
- eDMR reporting requirement

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

The EPA Waiver is not in effect.

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

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

WQM Permit No. 4611403, Sewage, **Borough of Lansdale**, One Vine Street, Lansdale, PA 19446.

This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Action/Activity: To increase the flow from 4.8 mgd to 6.576 mgd at the Whites Road pumping station.

WQM Permit No. 1511401, Sewage, **Municipal Authority of the Borough of Elverson**, 101 South Chestnut Street, P. O. Box 266, Elverson, PA 19520-0206.

This proposed facility is located in the Borough of Elverson, **Chester County**.

Description of Action/Activity: Force main replacement and flow meter installation at the Brick Lane Pumping Station.

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

WQM Permit No. 3284205-A1, Industrial Waste, **Hart Resource Technologies, Inc.**, PO Box 232, Creekside, PA 15732

This existing facility is located in Washington Township, **Indiana County**

Description of Proposed Action/Activity: Permit amendment application to add pH adjustment unit to permitted outfall 401.

WQM Permit No. 0474204-A3, Industrial Waste, **FirstEnergy Generation Corporation**, PO Box 128, Shippingport, PA 15077

This existing facility is located in Greene Township, **Beaver County**

Description of Proposed Action/Activity: Permit amendment application.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1506001-R	Upper Uwchlan Township 140 Pottstown Pike Chester Springs, PA 19425	Chester	Upper Uwchlan Township	Marsh Creek (HQ-TSF)
PAI01 151105	Devault Village, LP 55 Country Club Dr, Ste 200 Downingtown, PA 19335	Chester	Charlestown Township	Unnamed Tributary to Pickering (HQ-TSF) and Cedar Hollow Creeks (EV)
PAI01 151106	Thomas Whitford 933 Field Club Road Pittsburgh, PA 15238	Chester	Willistown Township	Crum Creek (HQ-CWF-MF)
PAI01 151107	Rosedon Holding Company Family Limited Partnership 161 Pennsylvania Avenue Po Box 470 Wayne, PA 19087-0470	Chester	East Vincent Township	Stony Run (HQ-TSF)

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

Lehigh County Conservation District: Lehigh County Ag. Center, Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, 610-391-9583.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023911008	Glenn Solt Lehigh County 17 S. Seventh St. Allentown, PA 18101	Lehigh	Whitehall Twp.	Lehigh River, TSF, MF

Schuylkill County Conservation District: 1206 Ag. Center Drive, RR5, Box 5810, Pottsville, PA 17901, 570-622-3742.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025411001	Reserve Homes, LLC Attn: Robert Ciccone 6866 Christophalt Drive Bath, PA 18014	Schuylkill	Tamaqua Borough	Owl Creek, HQ-CWF, MF

Wayne County Conservation District: 648 Park Street, Honesdale, PA 18431, 570-253-0930.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026404008R	Robert J. Suhosky 120 Lakeview Heights Drive Honesdale, PA 18431	Wayne	Cherry Ridge Twp.	UNT to Middle Creek, HQ-CWF, MF

Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456 (724-438-4497)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052611001	Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15601	Fayette	North Union & Wharton Townships	Big Sandy Creek-HQ/CWF, Chaney Run HQ/CWF, Trout Hollow-HQ/CWF, Coolspring Run WWF, Meadow Run-HQ/CWF, Little Sandy Creek-HQ/CWF, Shutes Run-WWF, Red Stone Creek-WWF, Cove Run-WWF, McIntire Run-HQ/CWF

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481
McKean County Conservation District, 17137 Route 6, Smethport PA 16749*

<i>NPDES Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI 0642 08 002(3)	Norwich Township 3853 West Valley Road Smethport PA 16749	McKean	Norwich Township	Robbins Brook HQ; CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NPDES PERMITS FOR CAFOs**

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

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

CAFO Nutrient Management Plans Received

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application or Action</i>
Hickory Hollow Farms 491 Barnsley Road Oxford, PA 19363	Chester	561	620.25	Swine	HQ	Update

**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

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

Application No. 1511511 Public Water Supply

Applicant **Westtown School**
 Township Westtown
 County **Chester**
 Responsible Official R. Philip Genter
 Director of Facilities
 975 Westtown Road
 Westtown, PA 19395

Type of Facility PWS
 Consulting Engineer Castle Valley Consultants, Inc.
 10 Beulah Road
 New Britain, PA 18901

Application Received Date March 1, 2011

Description of Action Installation of chlorine contact pipe, new well pump & controls, corrosion control, and ph adjustment treatment.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 0611509, Public Water Supply.

Applicant **Superior Water Company, Inc.**
 Municipality Washington Township
 County **Berks**
 Responsible Official Louise Knight, Chief
 Operating Officer
 1885 Swamp Pike
 Gibertsville, PA 19525-9666

Type of Facility Public Water Supply
 Consulting Engineer Steven E Riley, P.E.
 Entech Engineering, Inc
 PO Box 32
 Reading, PA 19603

Application Received: 3/21/2011

Description of Action New 100,000 gallon finished water storage tank and booster pumping facilities.

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

Permit No. 2611501, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672

[Township or Borough] Hempfield Township

Responsible Official William Castelli
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water treatment plant

Consulting Engineer Gibson-Thomas
 Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Application Received Date March 18, 2011

Description of Action Raising the existing 5 million gallon East Greensburg #1 tank from 56 feet to 68.5 feet which will add another 1 MG to the volume of the tank. After modifications, the tank will be painted.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 4511501MA

Applicant **Lake of the Pines Community Assn.**
 [Township or Borough] Middle Smithfield Township
Monroe County

Responsible Official Peter Nelson, President
 Lake of the Pines
 Community Association
 193 Lake of the Pines
 East Stroudsburg, PA 18301

Type of Facility Community Water System
 Consulting Engineer Charles H. Niclaus, PE
 Niclaus Engineering Corporation
 804 Sarah Street, Suite 201
 Stroudsburg, PA 18360
 570-422-1240

Application Received Date March 8, 2011

Description of Action Application for construction of 40 LF of 24-in. diameter DIP to provide additional chlorine contact time for meeting 4-log inactivation of viruses at Well No. 1.

Application No. 1311503MA

Applicant **Palmerton Municipal Authority**
 [Township or Borough] Borough of Palmerton,
Carbon County

Responsible Official Barry W. Scherer,
 Utility Coordinator
 Palmerton Municipal Authority
 443 Delaware Avenue
 Palmerton, PA 18071

Type of Facility Community Water System

Consulting Engineer Timothy A. Miller
Keystone Consulting
Engineers, Inc.
6235 Hamilton Boulevard
Wescosville, PA 18106
610-395-0971

Application Received Date March 21, 2011

Description of Action Application for system modifications to meet 4-log treatment requirements at three (3) entry points to include installation of large diameter pipe at EP-101 and EP-103, along with the addition of reservoir inlet baffling at EP-102.

Application No. 5211502 MA, Minor Amendment.

Applicant **Lake Adventure Community Association**
500 Lake Adventure
Milford, PA. 18337

[Township or Borough] Dingman Township,
Pike County

Responsible Official Mr. William Warms
Manager

Type of Facility Public Water Supply

Consulting Engineer Niclaus Engineering Corporation
Ms. Ann Wingert, PE.
804 Sarah Street
Stroudsburg, PA. 18360

Application Received Date March 21, 2011

Description of Action This project provides for the construction of a 0.385 MG finished water standpipe to increase water storage capacity in Lake Adventure.

Application No. 5411501 MA, Minor Amendment.

Applicant **Hazleton City Authority Water Department**
400 E. Arthur Gardner Parkway
Hazleton, Pa. 18201

[Township or Borough] Mahanoy & Delano Townships,
Schuylkill County

Responsible Official Mr. Randy Cahalan
Manager

Type of Facility Public Water Supply

Consulting Engineer Schumacher Engineering
John Synoski, PE.
55 North Conahan Drive
Hazleton, Pa. 18201

Application Received Date March 21, 2011

Description of Action This project provides for the construction of an additional chlorine contact chamber to meet the chlorination contact time requirements of the Ground Water Rule for Well #1 and Well #2 in Park Place.

Application No. 5411501 MA, Minor Amendment.

Applicant **Hazleton City Authority**
Water Department
400 E. Arthur Gardner Parkway
Hazleton, Pa. 18201

[Township or Borough] Mahanoy & Delano Townships,
Schuylkill County

Responsible Official Mr. Randy Cahalan
Manager

Type of Facility Public Water Supply

Consulting Engineer Schumacher Engineering
John Synoski, PE.
55 North Conahan Drive
Hazleton, Pa. 18201

Application Received Date March 21, 2011

Description of Action This project provides for the construction of an additional chlorine contact chamber to meet the chlorination contact time requirements of the Ground Water Rule for Well #1 in Park Place.

Application No. 5411502 MA, Minor Amendment.

Applicant **Hazleton City Authority**
Water Department
400 E. Arthur Gardner Parkway
Hazleton, Pa. 18201

[Township or Borough] Mahanoy & Delano Townships,
Schuylkill County

Responsible Official Mr. Randy Cahalan Manager

Type of Facility Public Water Supply

Consulting Engineer Schumacher Engineering
John Synoski, PE.
55 North Conahan Drive
Hazleton, Pa. 18201

Application Received Date March 21, 2011

Description of Action This project provides for the construction of an additional chlorine contact chamber to meet the chlorination contact time requirements of the Ground Water Rule for Well #1 in Delano.

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

Application No. 3010502MA—Resubmittal, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
PO Box 187
1442 Jefferson Road
Jefferson, PA 15344

[Township or Borough] Richhill Township

Responsible Official Joseph Simatic, Manager
Southwestern Pennsylvania
Water Authority
PO Box 187 1442 Jefferson Road
Jefferson, PA 15344

Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road PO Box 200 Indianola, PA 15051
Application Received Date	March 18, 2011
Description of Action	Installation of a water transmission line from Wind Ridge to the West Virginia state line.

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:

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

Higgins Key Distribution Center, Carlisle Borough, **Cumberland County**. ARM Group, Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033, on behalf of Mac Utsey, PE, 126 Seven Farms Drive, Suite 160-A, Charleston, SC 29492, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs, chlorinated solvents and inorganics. The site will be remediated to the Residential Statewide Health and Background Standards, and will continue to be used as a distribution center.

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

EJA Trucking Inc. I-80 Exit 212B Accident, Turbot Township, **Northumberland County**. Northridge Group, Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of EJA Trucking, Inc., 6040 Baumgartner Industrial Drive, St. Louis, MO 63129 has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Item* on March 6, 2011. The property will remain a highway right-of-way.

Evangelical Community Hospital, Kelly Township, **Union County**. Northridge Group, Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of Evangelical Community Hospital, 1 Hospital Drive, Lewisburg, PA 17837 has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Item* on March 6, 2011. The future use of the property is a building for patient labs and care area.

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

Pennsylvania American Water Company—Hays Mine Station, City of Pittsburgh, **Allegheny County**. Weavertown Environmental Group, 2 Dorrington Road, Carnegie PA 15106 on behalf of Pennsylvania American Water Company, 800 West Hershey Park Drive, Hershey Pa 17033 has submitted a Notice of Intent to Remediate. Localized BTEX contamination associated with two abandoned, 1500 gallon unregistered, unregulated underground storage tanks was found in site soils. The tanks were filled with sand and contained no product. The current and future use will remain as a water treatment plant.

RESIDUAL WASTE GENERAL PERMITS

Application(s) 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, Floor 14, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR128. Integrated Water Technologies, Inc., 150 Clove Rd., Suite 1101, Little Falls, NJ 07424-2138.

General Permit Numbered WMGR128 is for the processing of wastewater (i.e., flow back gas well water - frac water) from various Marcellus Shale gas drilling operations, using the proprietary Frac-Pure treatment process, to be conducted at the Champion Site facility, located in North Fayette Township, **Allegheny County**. The proposed treatment process will produce a (i) saline solution to be further processing off-site into commercial salt products and (ii) clean water distillate for beneficial use as a hydraulic fracturing water in the extraction of natural gas from Marcellus Shale gas drilling operations. Central Office received the application on March 09, 2011 and determined it administratively complete on March 25, 2011.

Comments concerning the application should be directed to C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

General Permit Application No. WMGR129. ALCOA, Inc., 201 Isabella St., Pittsburgh, PA 15212.

General Permit Numbered WMGR129 is for the beneficial use only of Alcoa's Alkaline Clay (AAC) as an alternative material to reclamation of acidic coal refuse mined land. The beneficial use of AAC is a "one-time" land application to approximately 24 inches depth on top of waste coal refuse material followed by hydro-seeding and mulching. The beneficial use activity will be conducted at the Mather Mine site - Morgan Township, located in **Greene County**. Central Office received the application on January 13, 2011 and determined it administratively complete on March 29, 2011.

Comments concerning the application should be directed to C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application Received 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.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401

Permit Application No. 101639. L & S Demo Recycling, 884 Brook Rd, Conshohocken PA 19428. This major permit modification application proposes the addition of a mechanical picking/sorting line, and a grinder to enhance the recycling operations at the L & S Demo Recycling facility, an existing municipal waste transfer and processing facility located at 884 Brook Road, Conshohocken, PA 19428, in Plymouth Township, **Montgomery County**. The application was received by the Southeast Regional Office on March 4, 2011.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

PLAN APPROVALS

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

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

30-00072I: Consol Pennsylvania Col Co., LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) for installation of an overland conveyor belt for the purpose of transferring raw coal from the Enlow Fork Mine to Bailey Prep Plant in Richhill Township, **Washington County**.

30-00182B: CNX Marine Terminals, Inc. (1000 Consol Energy Drive, Canonsburg, PA 15317) to encompass a process of residual limestone and coal barge cleanout for the purpose of transporting clean barges for additional loading at the Robena Barge Cleaning Facility in Greensboro Borough, **Greene County**.

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

Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940

37-331A: RWE Holding Co.—West Pittsburgh Plant (535 Rundle Road, New Castle, PA 16101) for post-construction of a slag handling, anti-skid mining, coke screening, bulk carbon loading and graphite drying operation at their facility in Taylor Township, **Lawrence County**.

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

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

Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

01-05016N: ISP Minerals, Inc.—Charmian Quarry (1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914) for installation of a secondary crusher, REMco Crusher to replace the existing 48" Gyradisc 300 Crusher (listed under Source ID402) in Hamiltonban Township, **Adams County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to the above mentioned company for the above mentioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

The company shall be subject to and comply with the relevant provisions of the PA Code including the chapters 123, 127, and 129. 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. The use of fabric collector to control the particulate matter emissions from the source, is considered to be Best Available Technology (BAT). The facility's actual controlled particulate matter emissions from this plan approval shall increase less than 1 tpy of TSP and less than 0.1 tpy of PM10, because the replacement unit is rated at 250 tpy and existing unit is of 200 tpy capacity.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

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

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

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

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

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

Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940

42-172B: Momentive Specialty Chemical, Inc. (PO Box 7227, Mount Jewett, PA 16740) to permit an alternate operating scenario at their facility in Sergeant Township, **McKean County**.

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 42-172B to Momentive Specialty Chemical, Inc. for the permitting of an alternate operating scenario at their facility located at 253 Borden Drive, Mount Jewett, PA 16740 (Sergeant Township, McKean County). The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450.

Plan Approval No. 42-172B is for the permitting of an alternative operating scenario for the facility's existing urea-formaldehyde resin manufacturing operations, which will have resulting increases in potential emissions of formaldehyde and methanol. Based on the information provided by the applicant and DEP's own analysis, the proposed changes in operation will have associated poten-

tial emissions increases of approximately 1.22 tons of formaldehyde and 0.21 ton of methanol per year. The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address, and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 42-172B.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

61-181D: Scrubgrass Generating Co. L.P. (2151 Lisbon Road, Kennerdell, PA 16374) for amendments to the facility operating permit (TV 61-00181) to include increases to the short term and long term sulfur dioxide limits and modify several permit conditions to remove ambiguities at their facility in Scrubgrass Township, **Venango County**.

61-191C: Seneca Printing & Label, Inc. (1642 Debence Dr., Franklin, PA 16323) for installation of two (2) flexographic printing presses at their facility in Sandy Creek Township, **Venango County**.

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 61-191C to Seneca Printing & Label, Inc. for the installation of two (2) flexographic printing presses at their facility located at 1642 Debence Drive, Sandy Creek Township, Venango County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450.

Plan Approval No. 61-191C is for the installation of two (2) flexographic printing presses. Based on the information provided by the applicant and DEP's own analysis, the proposed presses will have the potential to emit approximately 47 tons of volatile organic compounds (VOCs) and 0.5 ton of hazardous air pollutants (HAPs)

per year. However, the Plan Approval will not increase the facility's current facility-wide limit of 49.5 tons of VOC emissions per year.

The Plan Approval will contain additional recordkeeping and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address, and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 61-191C.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

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

Contact: Edward Braun, Chief—Telephone: 215-685-9476

AMS 10244: Spectrum Microwave, Inc. (2707 Black Lane, Philadelphia, PA 19154) for installation of one (1) Batch Vapor degreaser using solvent N-propyl Bromide in the City of Philadelphia, **Philadelphia County**. The facility will have the following potential annual emissions: 0.55 tons of VOC's. The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

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

23-00004: Covanta Delaware Valley, LP (10 Highland Avenue, Chester, PA 19013) for renewal of the Title V Operating Permit in City of Chester, **Delaware**

County. The initial permit was issued on April 30, 2001. The facility is a municipal waste combustion facility. The proposed Title V Operating Permit Renewal does not reflect any change in air emissions from the facility. The operation is subject to 40 CFR Part 60 NSPS regulations. The renewal permit contains all applicable requirements including monitoring, recordkeeping and reporting.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

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

09-00164: H & K Materials—a division of Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for a non-Title V Facility, State-Only, Natural Minor Operating Permit on Skunk Hollow Road in Hilltown Township (Chalfont), **Bucks County**. The permit is for the operation of an aggregate processing plant (quarry). This action is a renewal of the State Only Operating Permit. The initial permit was issued on 6-30-2006. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

09-00198: Mount Materials, LLC (427 South White Horse Pike, Berlin, NJ 08009) for an initial State Only Operating Permit in Falls Township, **Bucks County**. The facility operates a portable non-metallic mineral processing plant and is powered by diesel-fired engines. Mount Materials, LLC is categorized as a natural minor facility. The pollutants of concern include NOX, Total PM, PM-10, and PM-2.5. Under specific conditions specified in the operating permit, the facility will be allowed to temporarily relocate and operate their processing plant at multiple offsite locations. The permit includes monitoring, record keeping and reporting requirements to address all applicable air quality requirements.

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

Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

38-05034: Bluescope Building North America, Inc. (400 North Weaver Street, Annville, PA 17003) for operation of two (2) spray-paint booths at their steel fabrication facility in Annville Township, **Lebanon County**.

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

The subject facility emits about 27 tons per year of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52, "Surface Coating Processes."

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

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

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

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

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

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

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

65-00602: Derry Construction Co., Inc. (527 Route 217, Latrobe, PA 15650) for operation of their Delmont Asphalt Production Facility in Salem Township, **Westmoreland County**. This is a state only operating permit renewal submittal.

30-00040: Cumberland Coal Resources, LP (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370) on March 24, 2011, for renewal of their State Only Operating Permit for their coal prep plant in Whiteley Township, **Greene County**. This is a state only renewal submittal.

PLAN APPROVALS

Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. 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: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

PA 40-320-030: Crestwood Membranes, Inc. (755 Oakhill Road, Mountaintop, PA 18707) for installation of a six (6) station rotogravure press with a thermal oxidizer at their facility in Wright Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Crestwood Membranes, Inc. (755 Oakhill Road, Mountaintop, PA 18707) for their facility located in Wright Township, Luzerne County. The facility currently has a State Only permit No. 40-00043. This Plan Approval No. 40-320-030 will be incorporated into the company's Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-320-030 is for the installation of a 6 station rotogravure press with a thermal oxidizer at

their facility. VOC emissions from the plant will remain under 50 TPY, 12-month rolling sum. Emissions will be controlled by the use of a new thermal oxidizer. The oxidizer will be required to have a destruction efficiency of at least 98% or have a post control VOC concentration of no greater than 20 ppm. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The process is subject to 40 CFR Part 60 Subpart FFF. These limits will meet BAT requirements for this source. A stack test will be required to verify these limits.

The Department will place a condition for the facility to continuously monitor the outlet temperature from the oxidizer. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 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 following:

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

Identification of the proposed permit No.: 40-320-030.

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 18711, Phone No. 570-826-2511 within 30 days after publication date.

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; 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 applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control 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).

The following permit applications to conduct mining activities have been received by the Department. A copy of an 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 may be submitted by a person or an officer or head of 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 the person submitting comments or objections, the 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. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

For coal mining activities, NPDES permits, when issued, will contain effluent limits that do not exceed the technology-based effluent limitations. The proposed limits are listed in Table 1.

For noncoal mining activities, the proposed limits are in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in coal fields) may require additional 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. The limits will be in the ranges specified in Table 1.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur will be 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 in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads.

Persons wishing to comment on NPDES permit applications should submit statements to the Department at the address of the district mining office indicated before each application within 30 days of this public notice. Comments received within the comment period will be consid-

ered in the final determinations regarding the NPDES permit applications. A comment 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 § 92.61. 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 Applications Received

Effluent Limits—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

30020701 and NPDES No. NA, Consol Pennsylvania Coal Company, LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Central Mine Complex CRDA No. 3 and No. 4 in Richhill Township, **Greene County** to modify the water handling plan and provide receiving stream augmentation. No additional discharges. Application received: January 14, 2011.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

56110103 and NPDES No. PA0263192. Wilson Creek Energy, LLC, 140 West Union Street, Somerset, PA 15501, commencement, operation and restoration of a bituminous surface mine in Jenner Township, **Somerset County**, affecting 49.8 acres. Receiving stream(s): UTS to Quemahoning Creek classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: March 7, 2011.

11000102 and NPDES No. PA0235342. M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, permit renewal for reclamation only of a bituminous surface and auger mine in Susquehanna and Barr Townships, **Cambria County**, affecting 450.0 acres. Receiving stream(s): unnamed tributaries to/and Moss Creek; UTS to/and West Branch Susquehanna River classified for the following use(s): cold water fishery; cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2011.

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

65910103 and NPDES Permit No. PA0592447. Coal Loaders, Inc. (210 E. Main Street, Ligonier, PA 15658). Renewal application for continued operation and reclamation of an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 72.1 acres. Receiving streams: unnamed tributaries to Barron Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 18, 2011.

26000201 and NPDES Permit No. PA0202801. Carbon Fuel Resources, Inc. (2927 Pittsburgh Street, Perryopolis, PA 15473). Renewal application for continued operation and reclamation of an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 73.7 acres. Receiving streams: unnamed tributary to Browns Run, Browns Run and the Monongahela River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 24, 2011.

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

33-10-15 and NPDES Permit No. PA0259039. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767) Proposal to enter into a Government Financed Construction Contract on a 34.5 acre site in Perry Township, **Jefferson County**. The proposal includes total reclamation of 18.0 acres of abandoned mine lands while remaining 13.0 acres of coal incidental to the reclamation activities. Receiving streams: Unnamed tributary to Rose Run and Rose Run, both classified for the following uses: CWF. There are no potable surface water intakes within 10 miles downstream. Application received: March 21, 2011.

16110102 and NPDES Permit No. PA0259047. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA

16001) Commencement, operation and restoration of a bituminous strip operation in Monroe Township, **Clarion County** affecting 144.5 acres. Receiving streams: Unnamed tributaries to Brush Run and unnamed tributaries to Piney Creek, both classified for the following uses: CWF. There are no potable surface water intakes within 10 miles downstream. Application received: March 17, 2011.

1475-16110102-E-2. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Application for a stream encroachment to conduct mining and support activities within 100 feet of unnamed tributary No. 8 to Brush Run in Monroe Township, **Clarion County**. Receiving streams: Unnamed tributaries to Brush Run and unnamed tributaries to Piney Creek, both classified for the following uses: CWF. There are no potable surface water intakes within 10 miles downstream. Application received: March 17, 2011.

1475-16110102-E-1. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Application for a stream encroachment to conduct mining and support activities within 100 feet of unnamed tributaries Nos. 2, 6 and 9 to Piney Creek in Monroe Township, **Clarion County**. Receiving streams: Unnamed tributaries to Brush Run and unnamed tributaries to Piney Creek, both classified for the following uses: CWF. There are no potable surface water intakes within 10 miles downstream. Application received: March 17, 2011.

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

17070106 and NPDES No. PA0256528. Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA 16866). Renewal of an existing bituminous surface mine located in Decatur Township, **Clearfield County** affect-

ing 245.6 acres. Receiving stream: Big Run classified for cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 22, 2011.

17110102 and NPDES No. PA0257583. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine located in Goshen Township, **Clearfield County** affecting 113.2 acres. Receiving streams: Surveyor Run (cold water fishery) and Little Trout Run (high quality cold water fishery). There are no potable water supply intakes within 10 miles downstream. Application received: March 22, 2011.

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

40110201 and NPDES Permit No. PA0224961. Mineral Reclamation, LLC, (30 Market Street, Pittston, PA 18640), commencement, operation and restoration of an anthracite surface mine operation in Avoca and Duryea Boroughs, **Luzerne County** affecting 25.3 acres, receiving stream: Mill Creek, classified for the following use: cold water fishery. Application received: March 15, 2011.

40-305-007GP12. Mineral Reclamation, LLC, (30 Market Street, Pittston, PA 18640), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40110201 in Avoca and Duryea Boroughs, **Luzerne County**. Application received: March 15, 2011.

Noncoal Applications Received

Effluent Limits—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

10960304 and NPDES Permit No. PA0227218. Quality Aggregates, Inc. (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Revision to an existing large noncoal surface mine operation to add deep mining in Washington Township, **Butler County** affecting 186.0 acres. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek to Slippery Rock Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 21, 2011.

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

35110301 and NPDES Permit No. 35110301GP104. White Stone Quarry, Inc., (601 Salem Road, Archbald, PA 18403), commencement, operation and restoration of a quarry operation in Jefferson Township and Archbald Borough, **Lackawanna County** affecting 23.0 acres, receiving streams: Indian Cave Creek and White Oak Run Creek, classified for the following use: cold water fishes. Application received: March 16, 2011.

58110302 and NPDES Permit No. 58110302GP104. Frank Kamarauskas, Jr., (5748 SR 367, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Apolaccon Township, **Susquehanna County** affecting 146.0 acres, receiving stream: unnamed tributaries of Apalachin Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: March 16, 2011.

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 Depart-

ment. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-810. PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103, Franklin, New London, Penn, Upper Oxford Townships, **Chester County**, ACOE Philadelphia District.

To install and maintain a new transmission line along 7 miles of an existing right of way, starting from Upper Oxford Township and terminating at Clay Substation in Franklin Township, crossing the East Branch of Big Elk Creek, West Branch of White Clay creek and associated tributaries.

The power line corridor begins near Forest Manor Road and Mistview Lane and extends southeasterly to terminate at Clay Substation (Oxford, West Grove, PA USGS Quadrangle, starting point (N: 16 inches; West 4 inches) ending points (N: 2.5 inches; W: 10.5 inches).

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

E05-355: South Woodbury Township pedestrian footbridge over Yellow Creek, Mid State Trail Association, PO Box 885, Huntingdon, Pennsylvania 16652, Huntingdon County, South Woodbury Township, **Bedford County**, ACOE Baltimore District

To construct and maintain a proposed single span pedestrian footbridge having a normal span of approximately 82.0 feet, a clear width of 4.0 feet, and minimum underclearance of 6.0 feet across Yellow Creek (HQ-CWF), for the purpose of replacing an existing deficient structure. The project is located in South Woodbury Township, Bedford County (Hopewell, PA Quadrangle; N: 6.32 inches, W: 16.99 inches; Latitude: 40°09'35.3", Longitude: -78°22'17.9").

E36-881: Borough of Millersville, 100 Municipal Drive, Millersville, PA 17551, **Lancaster County**, ACOE Baltimore District

To: 1) construct and maintain a 7.0-foot high poured concrete wall around an existing pump station in the floodway of the Conestoga River (WWF, MF) and 2) remove the existing structure and install and maintain metal stairs in the floodway of the Conestoga River (WWF, MF), for the purpose of providing flood protection to an existing sewage pump station. The project is located on Creek Drive (Conestoga, PA Quadrangle N: 26.0 inches, W: 17 inches; Latitude: 39°59'47"; Longitude: 76°20'44") in Millersville Borough, Lancaster County.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.

E42-349, Bradford Area School District, 150 Lorana Avenue, Bradford, PA 16701. Bradford High School Fitness Center Addition, in the City of Bradford, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41°, 57', 36"; W: 78°, 39', 47").

To construct and maintain an approximately 4265 square foot fitness center addition to Bradford High School and resurface the existing adjacent parking lot within the floodway (50 feet from the top of the bank) and within the left (looking downstream) FEMA approximate floodplain of Bennett Brook in the City of Bradford, McKean County approximately 400 feet northeast of the intersection of Fairbanks Avenue and Willard Avenue. Project includes floodplain mitigation via excavation of 252 cubic feet of the left floodplain approximately 170 feet upstream of the proposed fitness center.

Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701

E4129-006 Anadarko E&P Company, LP, P. O. Box 1330, Houston, Texas 77251-1330, Cummings Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain a two-lane, single-span, pre-stressed concrete spread box beam bridge having a span of 50 feet, a width of 28 feet, and an underclearance of approximately 3.5 feet over the Second Fork Larrys Creek (EV) adjacent to Route 287 north of Salladasburg (Salladasburg, PA Quadrangle 41°21'15"N 77°15'3"W). The project will also include the construction of a 12 foot wide temporary causeway, consisting of 7 24-inch culverts, downstream of the proposed bridge all for the purpose of providing access to Marcellus Shale well pads.

E5729-009: Chesapeake Appalachia, LLC, 101 N. Main Street, Athens, PA 18810, Elkland Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 1887 square feet of a palustrine emergent (PEM) wetland; (Overton Quadrangle 41°30'23"N 76°36'53"W).

(2) two 16.0 inch diameter temporary water lines impacting 447 square feet of a palustrine emergent (PEM) wetland and 1 linear foot of an unnamed tributary to Blackwater Run (EV) adjacent to state route 154; (Overton Quadrangle 41°30'30"N 76°37'11"W).

(3) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 2862 square feet of palustrine emergent (PEM) wetland; (Shunk Quadrangle 41°30'32"N 76°37'45"W).

(4) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Kings Creek (EV) impacting 15 linear feet; (Shunk Quadrangle 41°30'33"N 76°37'47"W).

(5) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across Kings Creek (EV) impacting 19 linear feet adjacent to state route 154; (Shunk Quadrangle 41°30'39"N 76°37'53"W).

The project will result in 35 linear feet of temporary stream impacts and 5196 square feet of wetland impacts from water lines and temporary mat crossings. These crossings will accumulate a total of 0.01 acres of water-course impacts and 0.12 acres of wetland impacts all for the purpose of installing temporary water lines with associated access roadways for Marcellus well development.

E5729-010: Chesapeake Appalachia, LLC, 101 N. Main Street, Athens, PA 18810, Elkland & Fox Townships, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across Porter Creek (EV) impacting 9 linear feet; (Shunk Quadrangle 41°32'12"N 76°42'30"W).

(2) two 16.0 inch diameter temporary water lines impacting 7627 square feet of a palustrine emergent (PEM) wetland and 2 linear feet of an unnamed tributary to Elk Creek (EV) adjacent to state route 154; (Shunk Quadrangle 41°31'55"N 76°41'21"W).

(3) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Elk Creek (EV) impacting 4 linear feet; (Shunk Quadrangle 41°31'15"N 76°41'29"W).

(4) two 16.0 inch diameter temporary water lines over an existing culvert across an unnamed tributary to Elk Creek (EV) impacting 3 linear feet; (Shunk Quadrangle 41°31'6"N 76°41'41"W).

The project will result in 18 linear feet of temporary stream impacts and 7627 square feet of wetland impacts from water lines and temporary mat crossings. These crossings will accumulate a total of 0.01 acres of water-course impacts and 0.18 acres of wetland impacts all for the purpose of installing temporary water lines with associated access roadways for Marcellus well development.

E5929-010: SWEPI LP, 190 Thorn Hill Road, Warrendale, PA 15086, Shippen Township, **Tioga County**, ACOE Baltimore District.

To construct and maintain:

(1) A temporary road crossing using a mat bridge, a 6 inch diameter natural gas gathering line and 2 - 4 inch diameter water lines crossing an unnamed tributary (UNT) to the East Branch of Stony Fork (CWF) impacting 1,200 square feet (Tiadaghton, PA Quadrangle 41° 42' 14"N - 77° 24' 25"W);

2) A temporary road crossing using a mat bridge, a 6 inch diameter natural gas gathering line and 2 - 4 inch diameter water lines crossing an exceptional value, 10-acre palustrine emergent (EV-PEM) wetland impacting 895 square feet (Tiadaghton, PA Quadrangle 41° 42' 8"N - 77° 24' 18"W).

The project will result in 24 linear feet of temporary stream impacts, and 895 square feet (0.02 acres) of temporary wetland impacts, all for the purpose of installing natural gas gathering lines, a fresh waterline, and associated access roadways.

E5729-011: Chesapeake Appalachia, LLC, 101 N. Main Street, Athens, PA 18810, Elkland & Fox Townships, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Elk Creek (EV) impacting 2 linear feet; (Shunk Quadrangle 41°33'32"N 76°41'1"W).

(2) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 2639 square feet of a palustrine scrub-shrub (PSS) wetland; (Shunk Quadrangle 41°33'34"N 76°41'16"W).

(3) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 769 square feet of a palustrine emergent (PEM) wetland; (Shunk Quadrangle 41°33'39"N 76°41'25"W).

(4) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Elk Creek (EV) impacting 10 linear feet; (Shunk Quadrangle 41°31'52"N 76°41'39"W).

(5) two 16.0 inch diameter temporary water lines over an existing culvert across an unnamed tributary to Porter Creek (EV) impacting 2 linear feet; (Shunk Quadrangle 41°33'46"N 76°42'2"W).

(6) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 670 square feet of a palustrine emergent (PEM) wetland; (Shunk Quadrangle 41°33'45"N 76°42'3"W).

(7) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 4553 square feet of a palustrine forested (PFO) wetland; (Shunk Quadrangle 41°33'45"N 76°42'7"W).

(8) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Porter Creek (EV) impacting 3 linear feet; (Shunk Quadrangle 41°33'47"N 76°42'17"W).

(9) two 16.0 inch diameter temporary water lines across an unnamed tributary to Porter Creek (EV) impacting 2 linear feet; (Shunk Quadrangle 41°33'56"N 76°42'18"W).

(10) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 5256 square feet of palustrine emergent (PEM) wetland adjacent to the intersection of Roland Road and North Street; (Shunk Quadrangle 41°34'1"N 76°42'20"W).

(11) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 1505 square feet of a palustrine scrub shrub (PSS) wetland; (Shunk Quadrangle 41°34'10"N 76°42'29"W).

(12) two 16.0 inch diameter temporary water lines over an existing culvert across an unnamed tributary to Porter Creek (EV) impacting 2 linear feet; (Shunk Quadrangle 41°34'13"N 76°42'30"W).

(13) two 16.0 inch diameter temporary water lines over an existing culvert across an unnamed tributary to Porter Creek (EV) impacting 2 linear feet; (Shunk Quadrangle 41°34'14"N 76°42'28"W).

(14) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Porter Creek (EV) impacting 1 linear foot; (Shunk Quadrangle 41°34'14"N 76°42'28"W).

(15) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Porter Creek (EV) impacting 1 linear foot; (Shunk Quadrangle 41°34'19"N 76°42'25"W).

(16) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Porter Creek (EV) impacting 6 linear feet; (Shunk Quadrangle 41°34'25"N 76°42'48"W).

(17) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat impacting 2981 square feet of a palustrine forested (PFO) wetland; (Shunk Quadrangle 41°34'23"N 76°43'5"W).

(18) two 16.0 inch diameter temporary water lines and a 16 foot wide equipment mat across an unnamed tributary to Porter Creek (EV) impacting 1 linear foot; (Shunk Quadrangle 41°34'23"N 76°43'20"W).

(19) two 16.0 inch diameter temporary water lines over an existing culvert across an unnamed tributary to Porter Creek (EV) impacting 4 linear feet; (Shunk Quadrangle 41°33'27"N 76°43'57"W).

The project will result in 36 linear feet of temporary stream impacts and 18373 square feet of wetland impacts from water lines and temporary mat crossings. These crossings will accumulate a total of 0.01 acres of water-course impacts and 0.42 acres of wetland impacts all for the purpose of installing temporary water lines with associated access roadways for Marcellus well development.

E5829-003. Laser Northeast Gathering Company, LLC; 333 Clay Street, Suite 4500, Houston, TX 77002-4102; Liberty, Franklin, Silver Lake, Forest Lake and Middletown Townships, **Susquehanna County,** ACOE Baltimore District.

To construct, operate, and maintain:

1) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.001 acres of Palustrine Scrub Shrub (PSS) Wetland; (Franklin Forks, PA, PA Quadrangle N 41.93266° Lat., W -75.86549° Long.)

2) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 13.5 linear feet of an UNT Silver Creek (Chap. 93 CWF); (Franklin Forks, PA, PA Quadrangle N 41.92995° Lat., W -75.86936° Long.)

3) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 13.1 linear feet of an UNT Silver Creek (Chap. 93 CWF); (Franklin Forks, PA, PA Quadrangle N 41.92956° Lat., W -75.86973° Long.)

4) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 9.3 linear feet of an Intermittent UNT Silver Creek (Chap. 93 CWF); (Franklin Forks, PA, PA Quadrangle N 41.92655° Lat., W -75.87515° Long.)

5) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 9.6 linear feet of an Intermittent UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.92632° Lat., W -75.87527° Long.)

6) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.003 acres of a Palustrine For-

ested (PFO) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.92611° Lat., W -75.87539° Long.)

7) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 5 linear feet of an Intermittent UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.92093° Lat., W -75.88018° Long.)

8) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 3.1 linear feet of an Intermittent UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.92045° Lat., W -75.88314° Long.)

9) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 6.8 linear feet of an UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.92053° Lat., W -75.88475° Long.)

10) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 14.4 linear feet of an UNT Laurel Lake, PA Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.92072° Lat., W -75.89270° Long.)

11) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 36.1 linear feet of Laurel Lake, PA Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.92071° Lat., W -75.89331° Long.)

12) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.001 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91988° Lat., W -75.90046° Long.)

13) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.0005 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91982° Lat., W -75.90169° Long.)

14) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 6.3 linear feet of an UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.91977° Lat., W -75.90310° Long.)

15) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 4.8 linear feet of an Intermittent UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.91973° Lat., W -75.90369° Long.)

16) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 6.4 linear feet of an UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.91940° Lat., W -75.91030° Long.)

17) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.0008 acres of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91632° Lat., W -75.92018° Long.)

18) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.001 acres crossing of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91600° Lat., W -75.92074° Long.)

19) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.002 acres of an Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91614° Lat., W -75.92105° Long.)

20) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.002 acres of a Palustrine Emergent (PEM) Wetland; Laurel Lake, PA Topographic Quadrangle N 41.91585° Lat., W -75.92210° Long.

21) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 18.9 linear feet of Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.91607° Lat., W -75.92955° Long.)

22) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.005 acres of a Palustrine Forested (PFO) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91624° Lat., W -75.93288° Long.)

23) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.0001 acres of a Palustrine Forested (PFO) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91619° Lat., W -75.93349° Long.)

24) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.005 acres of a Palustrine Emergent (PEM) and Forested (PFO) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.91620° Lat., W -75.93418° Long.)

25) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 15 linear feet of an UNT Silver Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.91356° Lat., W -75.93603° Long.)

26) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.006 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.90221° Lat., W -75.95811° Long.)

27) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.003 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.89732° Lat., W -75.95841° Long.)

28) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.001 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.89542° Lat., W -75.95988° Long.)

29) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.003 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.89464° Lat., W -75.96128° Long.)

30) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.003 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.89552° Lat., W -75.96543° Long.)

31) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.006 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.89410° Lat., W -75.97045° Long.)

32) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 8.1 linear feet of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.88130° Lat., W -75.98703° Long.)

33) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 23.3 linear feet of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.88141° Lat., W -75.98803° Long.)

34) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 18.6 linear feet of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.87440° Lat., W -75.99645° Long.)

35) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.005 acres of a Palustrine Forested (PFO) Wetland; (Lawton, PA, PA Quadrangle N 41.87119° Lat., W -76.01026° Long.)

36) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 22.2 linear feet of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.87109° Lat., W -76.01118° Long.)

37) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 12.1 linear feet of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.87105° Lat., W -76.01154° Long.)

38) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 16.8 linear feet of Stone Street Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.85768° Lat., W -76.03078° Long.)

39) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 7.1 linear feet of an UNT Stone Street Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.85698° Lat., W -76.03283° Long.)

40) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 8.2 linear feet of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.85225° Lat., W -76.03919° Long.)

41) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.0004 acres of a Palustrine Emergent (PEM) Wetland; (Lawton, PA, PA Quadrangle N 41.84293° Lat., W -76.04368° Long.)

42) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 18.2 linear feet of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle at N 41.84121° Lat., W -76.04423° Long.)

43) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.005 acres of a Palustrine Emergent (PEM) Wetland; (Lawton, PA, PA Quadrangle N 41.84046° Lat., W -76.04573° Long.)

44) A sixteen (16) inch natural gas gathering pipeline temporarily impacting 0.005 acres of a Palustrine Forested (PFO) Wetland; (Lawton, PA, PA Quadrangle N 41.84255° Lat., W -76.05213° Long.)

45) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.006 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Montrose West, PA, PA Quadrangle N 41.85542° Lat., W -75.94710° Long.)

46) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 16.9 linear feet of an Intermittent UNT Forest Lake Creek (Chap. 93 CWF); (Montrose West, PA, PA Quadrangle N 41.84898° Lat., W -75.94576° Long.)

47) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.006 acres of a Palustrine Emergent (PEM) Wetland; (Montrose West, PA, PA Quadrangle N 41.87022° Lat., W -75.94293° Long.)

48) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.002 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Montrose West, PA, PA Quadrangle N 41.85767° Lat., W -75.94692° Long.)

49) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.001 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Montrose West, PA, PA Quadrangle N 41.85745° Lat., W -75.94693° Long.)

50) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 3.8 linear feet of an Intermittent UNT Forest Lake Creek (Chap. 93 CWF); (Montrose West, PA, PA Quadrangle N 41.85717° Lat., W -75.94696° Long.)

51) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 4.4 linear feet of an Intermittent UNT Forest Lake Creek (Chap. 93 CWF); (Montrose West, PA, PA Quadrangle N 41.85699° Lat., W -75.94697° Long.)

52) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.001 acres of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.88563° Lat., W -75.94960° Long.)

53) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.001 acres of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.88541° Lat., W -75.94941° Long.)

54) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 6.8 linear feet of an Intermittent UNT Forest Lake Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.88478° Lat., W -75.94915° Long.)

55) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.002 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Montrose West, PA, PA Quadrangle N 41.87237° Lat., W -75.94564° Long.)

56) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.0004 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Montrose West, PA, PA Quadrangle N 41.87248° Lat., W -75.94606° Long.)

57) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.0005 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Montrose West, PA, PA Quadrangle N 41.87209° Lat., W -75.94528° Long.)

58) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.001 acres of a Palustrine Scrub Shrub (PSS) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.89427° Lat., W -75.95673° Long.)

59) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.002 acres of a Palustrine Forested (PFO) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.86999° Lat., W -75.96706° Long.)

60) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.001 acres of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.87961° Lat., W -75.97150° Long.)

61) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.002 acres of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.87993° Lat., W -75.97134° Long.)

62) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.001 acres of a Palustrine Emergent (PEM) Wetland; (Laurel Lake, PA, PA Quadrangle N 41.88176° Lat., W -75.97261° Long.)

63) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 4.2 linear feet of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.88201° Lat., W -75.97286° Long.)

64) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 3.9 linear feet of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Laurel Lake, PA, PA Quadrangle N 41.88301° Lat., W -75.97372° Long.)

65) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 3.4 linear feet of North Branch Wyalusing Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.85313° Lat., W -76.07754° Long.)

66) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.0004 acres of a

Palustrine Emergent (PEM) Wetland; (Lawton, PA, PA Quadrangle N 41.84376° Lat., W -76.05824° Long.)

67) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 4.4 linear feet of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); (Lawton, PA, PA Quadrangle N 41.84350° Lat., W -76.05701° Long.)

68) A sixteen (16) inch natural gas gathering lateral pipeline temporarily impacting 0.0005 acres of a Palustrine Emergent (PEM) Wetland; (Lawton, PA, PA Quadrangle N 41.84349° Lat., W -76.05696° Long.)

69) A bridge mat road crossing of an UNT Silver Creek (Chap. 93 CWF); temporarily impacting 13.5 linear feet; (Franklin Forks, PA Topographic Quadrangle N 41.92995° Lat., W -75.86936° Long.)

70) A bridge mat road crossing of an UNT Silver Creek (Chap. 93 CWF); temporarily impacting 13.1 linear feet; (Franklin Forks, PA Topographic Quadrangle at N 41.92956° Lat., W -75.86973° Long.)

71) A bridge mat road crossing of an UNT Silver Creek (Chap. 93 CWF); temporarily impacting 6.8 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.92053° Lat., W -75.88475° Long.)

72) A bridge mat road crossing of an UNT Laurel Lake, PA Creek (Chap. 93 CWF); temporarily impacting 14.4 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.92072° Lat., W -75.89270° Long.)

73) A bridge mat road crossing of an UNT Silver Creek (Chap. 93 CWF); temporarily impacting 6.3 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.91977° Lat., W -75.90310° Long.)

74) A bridge mat road crossing of an Intermittent UNT Silver Creek (Chap. 93 CWF); temporarily impacting 4.8 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.91973° Lat., W -75.90369° Long.)

75) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; located at N 41.91632° Lat., W -75.92018° Long.; temporarily impacting 0.0099 acres; (Laurel Lake, PA Topographic Quadrangle N 41.91632° Lat., W -75.92018° Long.)

76) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; located at N 41.91600° Lat., W -75.92074° Long.; temporarily impacting 0.0132 acres; (Laurel Lake, PA Topographic Quadrangle N 41.91632° Lat., W -75.92018° Long.)

77) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; located at N 41.91614° Lat., W -75.92105° Long.; temporarily impacting 0.0225 acres; (Laurel Lake, PA Topographic Quadrangle N 41.91632° Lat., W -75.92018° Long.)

78) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; located at N 41.91585° Lat., W -75.92210° Long.; temporarily impacting 0.0183 acres; (Laurel Lake, PA Topographic Quadrangle N 41.91632° Lat., W -75.92018° Long.)

79) A bridge mat road crossing of an UNT Silver Creek (Chap. 93 CWF); temporarily impacting 15 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.91356° Lat., W -75.93603° Long.)

80) A bridge mat road crossing of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); temporarily impacting 8.1 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.88130° Lat., W -75.98703° Long.)

81) A bridge mat road crossing of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); temporarily impacting 23.3 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.88141° Lat., W -75.98803° Long.)

82) A bridge mat road crossing of an UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); temporarily impacting 18.6 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.87440° Lat., W -75.99645° Long.)

83) A bridge mat road crossing of an UNT Stone Street Creek (Chap. 93 CWF); temporarily impacting 7.1 linear feet; (Lawton, PA Topographic Quadrangle N 41.85698° Lat., W -76.03283° Long.)

84) A bridge mat road crossing of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); temporarily impacting 8.2 linear feet; (Lawton, PA Topographic Quadrangle N 41.85225° Lat., W -76.03919° Long.)

85) A wetland mat road crossing of a Palustrine Scrub Shrub (PSS) Wetland; temporarily impacting 0.006; (Montrose West, PA Topographic Quadrangle N 41.85542 Lat., W -75.94710° Long.)

86) A bridge mat road crossing of an Intermittent UNT Forest Creek (Chap. 93 CWF); temporarily impacting 16.9 linear feet; (Montrose West, PA Topographic Quadrangle N 41.84898° Lat., W -75.94576° Long.)

87) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; temporarily impacting 0.006 acres; (Montrose West, PA Topographic Quadrangle N 41.87022 Lat., W -75.94293° Long.)

88) A bridge mat road crossing of an Intermittent UNT Forest Lake Creek (Chap. 93 CWF); temporarily impacting 3.8 linear feet; (Montrose West, PA Topographic Quadrangle N 41.85717° Lat., W -75.94696° Long.)

89) A wetland mat road crossing of a Palustrine Scrub Shrub (PSS) Wetland; temporarily impacting 0.014 acres; (Laurel Lake, PA Topographic Quadrangle N 41.89427° Lat., W -75.95673° Long.)

90) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; temporarily impacting 0.0406 acres; (Laurel Lake, PA Topographic Quadrangle N 41.88176° Lat., W -75.97261° Long.)

91) A bridge mat road crossing of an Intermittent UNT Middle Branch Wyalusing Creek (Chap. 93 CWF); temporarily impacting 3.9 linear feet; (Laurel Lake, PA Topographic Quadrangle N 41.88301° Lat., W -75.97372° Long.)

92) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; temporarily impacting 0.0047 acres; (Lawton, PA Topographic Quadrangle N 41.84376° Lat., W -76.05824° Long.)

93) A wetland mat road crossing of a Palustrine Emergent (PEM) Wetland; temporarily impacting 0.0059 acres; (Lawton, PA, PA Topographic Quadrangle N 41.84349° Lat., W -76.05696° Long.)

The proposed Laser Northeast Gathering Susquehanna Pipeline—South Leg consists of the construction, operation, and maintenance of approximately 14.4 miles of the primary leg of a natural gas gathering system which is comprised of a sixteen inch coated steel pipe, buried to approximately three feet, collecting gas from three laterals of similar construction but ten inches in diameter. The linear length of the three laterals is approximately two, 2.1, and 5.4 miles in length. The natural gas gathering system is proposed for Liberty, Franklin, Silver Lake, Forest Lake and Middletown Township/s, Susquehanna County, Pennsylvania. All stream and wetlands crossings

are proposed to be constructed using the Horizontal Directional Drill method. Total Temporary Impacts for this site are 350.2 lineal feet of stream crossings and 8,056.2 square feet (0.185 acre) of wetland impacts. There are no permanent impacts associated with this site.

E5929-014: SWEPI LP, 190 Thorn Hill Road, Warrendale, PA 15086, Richmond and Sullivan Townships, **Tioga County**, ACOE Baltimore District.

To construct and maintain:

1) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 650 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'53"N 77°00'43"W);

2) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 503 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°47'54"N 77°00'48"W);

3) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 350 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'54"N 77°00'57"W);

4) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 850 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'55"N 77°00'58"W);

5) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 500 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'56"N 77°00'59"W);

6) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 950 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'57"N 77°01'00"W);

7) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 400 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'57"N 77°01'01"W);

8) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,872 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'00"N 77°01'05"W);

9) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 4,651 square feet of a palustrine emergent/scrub/shrub wetland (PEM/PSS) (Mansfield, PA Quadrangle 41°48'05"N 77°01'23"W);

10) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 4,778 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'05"N 77°01'33"W);

11) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 837 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'09"N 77°02'10"W);

12) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,474 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'09"N 77°02'10"W);

13) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 475 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'09"N 77°02'18"W);

14) an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 42 square feet of an unnamed tributary (UNT) to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°48'15"N 77°02'25"W);

15) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,183 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'23"N 77°02'28"W);

16) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,242 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'28"N 77°02'28"W);

17) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,259 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'52"N 77°02'21"W);

18) a temporary road crossing using a mat bridge, a 6 inch diameter natural gas spur line and a 10 inch diameter water line impacting 607 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'03"N 77°02'24"W);

19) a temporary road crossing using a mat bridge, a 6 inch diameter natural gas spur line and a 10 inch diameter water line impacting 1,213 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°48'57"N 77°02'45"W);

20) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,232 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'34"N 77°02'30"W);

21) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 2,093 square feet of a 10-acre palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'36"N 77°02'29"W);

22) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,728 square feet of a 10-acre palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'38"N 77°02'28"W);

23) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 3,273 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'39"N 77°02'27"W);

24) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,300 square feet of Mad Run (TSF) (Mansfield, PA Quadrangle 41°49'43"N 77°02'25"W);

25) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 20 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'43"N 77°02'24"W);

26) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 60 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'43"N 77°02'26"W);

27) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 5,020 square feet of a 10-acre palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°49'44"N 77°02'25"W);

28) a temporary road crossing using a mat bridge, a 6 inch diameter natural gas spur line and a 10 inch diameter water line impacting 1,570 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'21"N 77°02'22"W);

29) a temporary road crossing using a mat bridge, a 6 inch diameter natural gas spur line and a 10 inch diameter water line impacting 111 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'23"N 77°02'18"W);

30) a temporary road crossing using a mat bridge, a 6 inch diameter natural gas spur line and a 10 inch diameter water line impacting 1,678 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'26"N 77°02'13"W);

31) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 9,905 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'21"N 77°02'50"W);

32) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 438 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'21"N 77°02'52"W);

33) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 627 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'23"N 77°03'03"W);

34) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,600 square feet of Mad Run (TSF) (Mansfield, PA Quadrangle 41°50'23"N 77°03'12"W);

35) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 1,168 square feet of a palustrine emergent/scrub/shrub (PEM/PSS) wetland (Mansfield, PA Quadrangle 41°50'23"N 77°03'13"W);

36) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 100 square feet of an unnamed tributary (UNT) to Mad Run (TSF) (Mansfield, PA Quadrangle 41°50'23"N 77°03'13"W);

37) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 8,460 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'42"N 77°04'11"W);

38) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 350 square feet of an unnamed tributary (UNT) to the Tioga River (CWF) (Mansfield, PA Quadrangle 41°50'49"N 77°04'49"W);

39) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line and a 10 inch diameter water line impacting 557 square feet of a

palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°50'49"N 77°04'49"W).

The project will result in 479 linear feet of temporary stream impacts, a total of 58,034 square feet (1.33 acres) of temporary wetland impacts, and no permanent wetland impacts. Streams and wetlands are being crossed all for the purpose of installing a natural gas gathering line and 2 spur lines with associated access roadways.

ACTIONS

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY
MANAGEMENT (WQM) PERMITS**

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

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0035009 (Sewage)	Lake Lehman School District Lake Lehman High School Old Rte 115 Lehman, PA 18627-0038	Luzerne County Lehman Township	Unnamed Tributary to East Fork Harveys Creek (5-B)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0087955 (Sew)	Cassville Water & Sewer Authority PO Box 48 Cassville, PA 16623	Huntingdon County Cass Township	UNT of Little Trough Creek / 11-D	Y
PA0028347 (Sew)	Martinsburg Borough Municipal Authority 133 E. Allegheny Street Martinsburg, PA 16662-1101	Blair County Martinsburg Borough	Plum Creek / 11-A	Y
PA0021539 (Sew)	Williamsburg Municipal Authority 305 East 2nd Street Williamsburg, PA 16693-1041	Blair County Catherine Township	Frankstown Branch Juniata River / 11-A	Y
PA0010294 (IW)	Tyco Electronics Corporation M S 161-S3, PO Box 3608 Harrisburg, PA 17105-3608	Dauphin County Williamstown Borough	Wiconisco Creek / 6-C	Y
PA0030597 (Sew)	Franklin County General Authority 5540 Coffey Avenue Chambersburg, PA 17201-4127	Franklin County Letterkenny Township	Rocky Spring Branch / 13-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0009725 (Industrial Waste)	Jersey Shore Steel Plant PO Box 5055 Jersey Shore, PA 17740-5055	Clinton County Pine Creek Township	Unnamed Tributary to West Branch Susquehanna River (9-B)	Y
PAS314801 (Storm Water)	Dominion Transmission, Inc- Sabinsville Compressor Station 123 Pump Station Road Sabinsville, PA 16943	Tioga County Clymer Township	Mill Creek (4-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0032395 Sewage	Richard T. Patik PO Box 511 Rumbaugh Avenue Mount Pleasant, PA 15666	Fayette County Perry Township	UNT of Virgin Run	Y
PA0218154 Sewage	Riverview Restaurant Group 610 Beaver-Midland Road Beaver, PA 15009	Beaver County Industry Borough	Ohio River	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0027341 (Industrial Waste)	Pittsburgh Glass Works, LLC 5123 Victory Boulevard Meadville, PA 16335	Crawford County Greenwood Township	Unnamed tributary to the Conneaut Outlet 16-D	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

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

NPDES Permit No. PA0031666, Renewal, Sewage, **Concord Country Club**, P. O. Box 1248, Chadds Ford, PA 19317.

This proposed facility is located in Concord Township, **Delaware County**.

Description of Action/Activity: Approval for the renewal of an NPDES permit to discharge 12,000 gpd of treated sewage from a STP serving the country club to an unnamed Tributary to West Branch Chester Creek in Watershed 3G.

NPDES Permit No. PAG040154, Sewage, **Martin Holden**, 2121 Weber Road, Lansdale, PA 19446.

This proposed facility is located in Worcester Township, **Montgomery County**.

Description of Action/Activity: Approval to discharge treated sewage from a facility Holden SRSTP to Zacharias Creek which is listed in Watershed 3-E.

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

NPDES Permit No. PA0080438 Amendment No. 1, Sewage, **Northern Lancaster County Authority**, Beam Road Sewage Treatment Plant, 983 Beam Road, Denver, PA 17517-8946.

This proposed facility is located in Brecknock Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Muddy Creek in Watershed 7-J.

NPDES Permit No. PA0247162 Amendment No. 1, Industrial Waste, **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055-4475.

This proposed facility is located in Fairview Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Yellow Breeches Creek in Watershed 7-E.

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

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

WQM Permit No. WQG02461102, Sewage, **Lower Providence Municipal Authority**, 100 Parklane Drive, Eageleville, PA 19403.

This proposed facility is located in Lower Providence Township, **Montgomery County**.

Description of Action/Activity: Approval to relocate sanitary sewers at two locations in Lower Providence Township. A portion of the collection system with Oaklyn Avenue and West Mt. Kirk Avenues as well as a sanitary sewer easement between the two roadways.

WQM Permit No. 1599415, Sewage, Renewal, **Hideaway Mobile Home Park STP**, P. O. Box 251, Morgantown, PA 19543.

This proposed facility is located in West Caln Township, **Chester County**.

Description of Action/Activity: Continue to operate a sewage treatment plant with discharge to groundwater via LLOVD system.

WQM Permit No. WQG02091101, Sewage, **Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974.

This proposed facility is located in Warminster Township, **Bucks County**.

Description of Action/Activity: Approval to replace an existing 8" force main with a 12" PVC force main and refurbish the existing pump stations with new pump stations and VFD control system.

WQM Permit No. 4699201, Sewage, Transfer, **Johnson Matthey Inc.**, 435 Devon Park Drive, Suite 600, Wayne, PA 19087-1998.

This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Action/Activity: Permit is being transferred from Lonza Inc., to Johnson Matthey, Inc.

WQM Permit No. WQG010034, Sewage, **Martin Holden**, 2121 Weber Road, Lansdale, PA 19446.

This proposed facility is located in Worcester Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a 500 gpd sewage treatment plant.

WQM Permit No. WQG02-151104, Sewage, **Coatesville Inn Associates**, 300 Barr Harbor Drive, Suite 750, West Conshohocken, PA 19428.

This proposed facility is located in the City of Coatesville, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage pump station to serve a office building.

WQM Permit No. WQG02-151103, Sewage, **Coatesville Inn Associates**, 300 Barr Harbor Drive, Suite 750, West Conshohocken, PA 19428.

This proposed facility is located in the City of Coatesville, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage pump station to serve a hotel building.

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

WQM Permit No. 3610405, Sewage, **City of Lancaster**, 120 North Duke Street, PO Box 1599, Lancaster, PA 17608-1599.

This proposed facility is located in Palmyra Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit approval for the replacement of the Stevens Avenue Pumping Station.

WQM Permit No. 3674409 Amendment 10-1, Sewage, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517-8946.

This proposed facility is located in Brecknock Township, **Lancaster County**.

Description of Proposed Action/Activity: Amendment approval for the modification and construction of sewerage facilities consisting of influent pumping, screening, grit removal, advanced biological treatment, final clarification, UV disinfection, reaeration, effluent flow monitoring, chemical feed systems, and sludge treatment.

WQM Permit No. 6710201, Industrial Waste, **PH Glatfelter Company**, 228 South Main Street, Spring Grove, PA 17362-0500.

This proposed facility is located in North Codorus Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the modification of industrial wastewater facilities consisting of installation of a residual waste liner system with associated piping, ground water drainage, leachate detection layer and other related work in the existing emergency basin located near the intersection of Hershey and Rockery Roads. This permit also specifies the groundwater monitoring wells to be used to monitor the effectiveness of the emergency basin as MW-11S, MW-21S, and MW10-101.

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

WQM Permit No. 1810201, CAFO Operation [SIC0241], **Paul Dotterer & Sons, Inc.**, 6795 Nittany Valley Drive, Mill Hall, PA 17751.

This proposed facility is located in Porter Township, **Clinton County**.

Description of Proposed Action/Activity: The Department has issued a WQM II permit to Paul Dotterer & Sons, Inc., an existing dairy farm, to construct two reinforced concrete manure storage tanks and modification of the existing manure management system. The manure storage tanks will each provide a holding capacity of 1.287 million gallons of manure with 2' of freeboard.

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

WQM Permit No. 5610402, Sewerage, **Somerset Township Municipal Authority**, PO Box 247, Somerset, PA 15501

This proposed facility is located in Somerset Township, **Somerset County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pump station and force main.

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

WQM Permit No. 1074405, Sewage, **Amendment No. 1, Moraine Camplands Association Inc.**, 281 Staff Road, Slippery Rock, Pa 16057.

This existing facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of an amendment to a Water Quality Management Permit for the treatment plant to add a soda ash feed, replace the existing air lift pumps in the clarifier with Geyser lift pumps, replace the coarse bubble disc diffusers with fine bubble diffusers in the aeration basin, and convert the abandoned plate settler to additional sludge holding capacity.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 151035	Lion Associates, LP 100 Plaza Drive, Unit No. 8 Downingtown, PA 19335	Chester	Uwchlan Township	Pickering Creek (HQ-TSF)
PAI01 15231003	YMCA of Philadelphia 200 Market Street Philadelphia, PA 19103-3214	Delaware	Haverford Township	Cobbs Creek (WWF-MF)

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

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041810002	Paul Dotterer & Sons, Inc. 6795 Nittany Valley Dr. Mill Hall, PA 17751	Clinton	Porter Township	Cedar Run HQ-CWF

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision in 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 (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

General Permit Type—PAG-02
Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hilltown Township Bucks County	PAG0200 0911003	D&R Realty Management, LP 6 Commerce Drive Ivyland, PA 18974	Mill Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG0200 0909021	Waitkus Design 123 Liberty Street Newtown, PA 18940	Mill Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Schuylkill Township Chester County	PAG0200 1510040	Valley Forge Sewer Authority 333 Pawlings Road Phoenixville, PA 19460	Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Britain Township Chester County	PAG0200 1511008	Flint Hill, LLC 1050 Industrial Drive, Ste 200 Middletown, DE 19709	Christina River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township Chester County	PAG0200 1511001	David Shigherd 1045 Kaolin Road Kennett Square, PA 19348	East Branch Red Clay Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAG0200 1511006	Exton Whiteland Development 200 Old Forge Lane Kennett Square, PA 19348	Valley Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Nether Providence Township Delaware County	PAG0200 2310022	Wallingford-Swarthmore School District 200 South Providence Road Wallingford, PA 19086	Crum Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2311002	Villanova University 800 Lancaster Avenue Villanova, PA 19085	Mill Creek (TSF); Ithan Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAG0200 4605136-R	Presby's Inspired Life 2000 Joshua Road Lafayette Hill, PA 19444	Meadow Brook (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4610086	Bryn Mawr College 101 North Merion Avenue Bryn Mawr, PA 19010	Mill Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Norriton Township Montgomery County	PAG0200 4610080	St. Sophia Greek Orthodox Church 900 South Trooper Road Eagleville, PA 19403	Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4611008	Freedom Enterprise, Inc. 553 Foundry Road East Norriton, PA 19403	Sandy Run and Wissahickon Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511103	Temple University 1109 West Montgomery Avenue Philadelphia, PA 19122	Delaware Direct (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Oley Township, Berks County	PAG02000606041R	Mike Weaver DePaul Development 1750 Walton Road Blue Bell, PA 19422	Monocacy Creek/WWF	Berks County Conservation Dist. 1238 County Welfare Road, Suite 200, Leesport, PA 19533-9710 610.372.4657, Ext. 142
Quincy Township, Franklin County	PAG02002811003	James & Heidi Zaiger 7557 Rock Hill Road Waynesboro, PA 17268	UNT to West Branch of Antietam Creek/CWF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Borough of Waynesboro, Franklin County	PAG02002810024	Geo-Fam Ninth Street DL George 20 East Sixth Street Waynesboro, PA 17268	UNT to East Branch of Antietam Creek/WWF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Greene Township, Franklin County	PAG2002806017R	Thomas Kennedy Chambersburg First Church of God 2230 Grand Pointe Road, Chambersburg PA 17202	UNT to Falling Spring/TSF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Fayette Township, Juniata County	PAG2033411001	Stella-Jones PO Box 251 McAlisterville, PA 17049	Delaware Creek, TSF	Juniata Co. Conservation District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953, ext 5
Asylum Township Bradford County	PAG2000811003	Mark Songer Pumpco Services Bldg 2, Penn Ctr W. Ste 227 Pittsburgh, PA 15276	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Potter Township Centre County	PAG2001410022	Andrew Freeman Cedar Run Investments, LP 265 Blue Course Dr State College, PA 16801	UNT to Cedar Run CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Burnside Township Centre County	PAG2001411002	Dennis Dusza PA Game Commission PO Box 5048 Jersey Shore, PA 17740	Cherry Run (Site A) CWF Cherry Run & Little Sandy Creek (Site B) CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
City of Lock Haven Clinton County	PAG2001811001	Townhomes at Susquehanna Sq. 111 Sowers St., Ste 400 State College, PA 16801	West Branch of Susquehanna River WWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Scott Township Columbia County	PAG2001910006	Nancy J. Marr Marr Rentals, LLC 812-D Central Rd. Bloomsburg, PA 17815	UNT to Fishing Creek CWF,MF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Clinton Township Lycoming County	PAG2004110013	Halliburton Energy Services, Inc. 10200 Bellaire Blvd Houston, TX 77072	Turkey Run WWF,MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003
Liberty Township Montour County	PAG2004711001	Liberty Township Supervisors 197 Mooresburg Rd. Danville, PA 17821	Mausers Creek CWF	Montour County Conservation District 112 Woodbine Lane, Suite 2 Danville, PA 17821 (570) 271-1140

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Liberty Township Montour County	PAG2004711002	Integrity Land Inc 197 Point Township Dr Northumberland, PA 17857	Mausers Creek CWF	Montour County Conservation District 112 Woodbine Lane, Suite 2 Danville, PA 17821 (570) 271-1140
Wellsboro Borough Tioga County	PAG-02005911005	Daniel Leonard/ John Sinclair PA Fish and Boat Commission, 450 Robinson Lane Bellefonte Pa, 16823	Morris Branch of Marsh Creek WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3
Cranberry Township Butler County	PAG02 0010 11 005	Allegheny Printed Plastics 1224 Freedom Road Cranberry Township PA 16066	UNT Brush Run WWF	Butler Conservation District 724-284-5270
Cranberry Township Butler County	PAG02 0010 10 011	Richard Gross Car Sense 21 Pottstown Pike Uwchland PA 19480	UNT Likens Run WWF	Butler Conservation District 724-284-5270
Fairview Township Butler County	PAG02 0610 10 016	PA Department of Environmental Protection 230 Chestnut Street Meadville PA 16335	UNT Bear Creek CWF	Northwest Regional Office DEP 814-332-6945
Venango Township Erie County	PAG02 0025 10 014	Roget Niemeyer 8939 Jones Road, RD 1 Wattsburg PA 16442	West Branch French Creek WWF	Erie Conservation District 814-825-6403
City of Erie Erie County	PAG02 0025 11 008	National Lime & Stone Company 1331 Broad Avenue, Suite 100 Findlay OH 45840	UNT Cascade Creek WWF; MF	Erie Conservation District 814-825-6403
Smithfield Twp., Monroe Co.	PAG02004505010R(1)	Mt. Tom Road Properties LLC c/o Robert Brown 1125 Fillmore St. East Stroudsburg, PA 18301	Sambo Creek, CWF, MF	Monroe Co. Cons. Dist. 570-629-3060

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bethlehem City Lehigh County	PAR802267	J. B. Hunt Transport Inc. 750 B North Bloomington PO Box 130 Lowell AR 72745	UNT to Lehigh River (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Plains Twp Luzerne Co.	PAR802265	Unison Engine Components 1141 Highway 315 Wilkes-Barre, PA 18702	Laurel Run (CWF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Blair County Taylor Township	PAR803506	E. F. Smith PO Box 73 Roaring Spring, PA 16673-0073	Halter Creek / WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-704-4707

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Pittsburgh Allegheny County	PAR806204	Terminal Leasing, LLC 15 27th Street Pittsburgh, PA 15222	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of Pittsburgh Allegheny County	PAR806203	Terminal Leasing, LLC 15 27th Street Pittsburgh, PA 15222	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Fox Township Elk County	PAR608334	Richard Krishart 724 Brady Camp Road Kersey, PA 15846	Unnamed tributary to Benninger Creek 17-A	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Southampton Township Somerset County	PAG046420	Duane & Kathryn Huffman 6418 Cumberland Highway Meyersdale, PA 15552-9246	UNT to North Branch Jennings Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-7

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Warwick Township Lancaster County	PAG073517	Severn Trent Environmental Services, Inc. 50 Lititz Run Road Lititz, PA 17543	Lititz Sewer Authority 50 Lititz Run Road Lititz, PA 17543	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Hopewell Township Cumberland County	PAG083598	Newburg-Hopewell Joint Authority PO Box 128 Newburg PA 17240	Reasner Lane Newburg, PA 17240	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

**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.

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Greenfield Farms 6420 Route 35 East Waterford, PA 17021	Juniata	1340	496.71	Poultry	Dougherty Run, HQ-CWF and Woodward Run, HQ-CWF Approved	

**PUBLIC WATER SUPPLY (PWS)
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

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Operations Permit issued to: **Mill Creek Area Municipal Authority**, 4310050, Brady Township, **Huntingdon County** on 3/23/2011 for the operation of facilities submitted under Application No. 3110505 MA.

Operations Permit issued to: **Port Royal Municipal Authority**, 4340010, Port Royal Borough, **Juniata County** on 3/22/2011 for the operation of facilities submitted under Application No. 410509 MA.

Operations Permit issued to: **Orbisonia-Rockhill Joint Municipal Authority**, 4310025, Cromwell Township, **Huntingdon County** on 3/23/2011 for the operation of facilities submitted under Application No. 3111502 MA.

Operations Permit issued to: **Biglerville Borough Authority**, 7010020, Biglerville Borough, **Adams**

County on 3/21/2011 for the operation of facilities submitted under Application No. 0110515 MA.

Operations Permit issued to: **Muhlenberg Township Authority**, 3060038, Muhlenberg Township, **Berks County** on 3/22/2011 for the operation of facilities approved under Construction Permit No. 0610512 MA.

Operations Permit issued to: **Franklintown Boro Municipal Authority**, 7670113, Franklintown Borough, **York County** on 3/21/2011 for the operation of facilities submitted under Application No. 6710524 MA.

Operations Permit issued to: **Shippensburg Borough Authority**, 7210043, Shippensburg Borough, **Cumberland County** on 3/22/2011 for the operation of facilities submitted under Application No. 2109505 MA.

Operations Permit issued to: **Dover Borough**, 7670072, Dover Borough, **York County** on 3/24/2011 for the operation of facilities approved under Construction Permit No. 6710512 MA.

Operations Permit issued to: **Shrewsbury Borough**, 7670088, Shrewsbury Borough, **York County** on 3/23/2011 for the operation of facilities approved under Construction Permit No. 6710513 MA.

Operations Permit issued to: **Carlisle Barracks**, 7210010, Carlisle Borough, **Cumberland County** on 3/21/2011 for the operation of facilities submitted under Application No. 2110504 MA.

Operations Permit issued to: **New Freedom Borough**, 7670082, New Freedom Borough, **York County** on 3/24/2011 for the operation of facilities submitted under Application No. 6710525 MA.

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

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Beech Creek Borough Authority**
 [Township or Borough] Beech Creek Borough
 County **Clinton**
 Responsible Official Randy Peters, Supervisor
 Beech Creek Borough Authority
 P. O. Box 216
 Beech Creek, PA 16822
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued Date March 23, 2011
 Description of Action 4-log inactivation of viruses at Entry Point 101 (Well #2 known as Maple Ave. Well).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Borough of Howard**
 [Township or Borough] Howard Borough
 County **Centre**
 Responsible Official Daniel Brownson, Operator
 Borough of Howard
 P. O. Box 378
 Howard, PA 16891
 Type of Facility Public Water Supply

Consulting Engineer N/A
 Permit Issued Date March 23, 2011
 Description of Action 4-log inactivation of viruses at Entry Point 102, 103, and 104 (Well Nos. 2, 3 and 4).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Snow Shoe Borough Authority**
 [Township or Borough] Snow Shoe Borough
 County **Centre**
 Responsible Official Joshua J. Cingle
 Snow Shoe Borough Authority
 112 East Sunset Avenue
 Snow Shoe, PA 16874
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued Date March 23, 2011
 Description of Action 4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 & 2).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Westfield Borough**
 [Township or Borough] Westfield Borough
 County **Tioga**
 Responsible Official James Davis, President
 Westfield Borough
 429 East Main Street
 Westfield, PA 16950
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued Date March 25, 2011
 Description of Action 4-log inactivation of viruses at Entry Point 101 (Well #4 known as Harvey Ave. Well).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Tioga Borough Municipal Authority**
 [Township or Borough] Tioga Borough
 County **Tioga**
 Responsible Official James Kendrick, Operator
 Tioga Borough Municipal Authority
 P. O. Box 158
 Tioga, PA 16946
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued Date March 25, 2011
 Description of Action 4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 and 2).

Permit No. 4110501—Operation Public Water Supply.

Applicant **Lycoming County Water and Sewer Authority**

[Township or Borough] Muncy Creek Township
County **Lycoming**

Responsible Official Ms. Christine Weigle
Lycoming County Water and Sewer Authority
Montoursville, PA 17754

Type of Facility Public Water Supply

Consulting Engineer David M. Swisher, P.E.
HRG, Inc.
474 Windmere Drive
State College, PA 16801

Permit Issued Date March 29, 2011

Description of Action Operation of the LCWSA/Muncy Borough interconnection that include a water meter pit, a booster pump station and approximately 5,700 feet of water distribution piping.

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

Permit No. 6510503GWR, Minor Amendment. Public Water Supply.

Applicant **Ligonier Township Municipal Authority**
1 Municipal Park Drive
Ligonier, PA 15658

[Borough or Township] Ligonier Township
County **Westmoreland**

Type of Facility Water supply system

Consulting Engineer

Permit to Operate Issued March 18, 2011

Permit No. 2610502GWR, Minor Amendment. Public Water Supply.

Applicant **Indian Creek Valley Water Authority**
PO Box 486
Indian Head, PA 15446

[Borough or Township] Saltlick Township
County **Fayette**

Type of Facility Water supply system

Consulting Engineer

Permit to Operate Issued March 18, 2011

Permit No. 2610507GWR, Minor Amendment. Public Water Supply.

Applicant **National Pike Water Authority**
4888 National Pike
Markleysburg, PA 15459

[Borough or Township] Henry Clay Township
County **Fayette**

Type of Facility Water supply system

Consulting Engineer McMillen Engineering
115 Wayland Smith Drive
Uniontown, PA 15401

Permit to Operate Issued March 22, 2011

Permit No. 5610513GWR, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Boswell Borough**
300 Stonycreek Street
Boswell, PA 15531

[Borough or Township] Boswell Borough and Jenner Township
County **Somerset**

Type of Facility Water supply system

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Permit to Operate Issued March 14, 2011

Permit No. 6510502GWR, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Ligonier Township
County **Westmoreland**

Type of Facility Water supply system

Consulting Engineer

Permit to Operate Issued March 26, 2011

Permit No. 1110509GWR, Minor Amendment. Public Water Supply.

Applicant **Northern Cambria Municipal Authority**
1202 Philadelphia Avenue
Northern Cambria, PA 15714

[Borough or Township] Northern Cambria Borough
County **Cambria**

Type of Facility Water supply system

Consulting Engineer Stiffler McGraw and Associates
1731 North Juniata Street
Hollidaysburg, PA 16648

Permit to Operate Issued March 26, 2011

Permit No. 0210512GWR, Minor Amendment. Public Water Supply.

Applicant **Borough of Sewickley Water Authority**
PO Box 190
601 Thorn Street
Sewickley, PA 15143

[Borough or Township] Sewickley Borough
County **Allegheny**

Type of Facility Water supply system

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Permit to Operate March 24, 2011
Issued

Wellhead Protection Program Approval issued to **Coraopolis Water and Sewer Authority**, 1012 Fifth Avenue, PWSID 5020010, Coraopolis Borough, **Allegheny County** on March 23, 2011.

Wellhead Protection Program Approval issued to **Cowanshannock Township Municipal Authority** - Margaret, PO Box 74, PWSID 5030021, Cowanshannock Township, **Armstrong County** on March 23, 2011.

Wellhead Protection Program Approval issued to **Cowanshannock Township Municipal Authority** - Sagamore, PO Box 74, PWSID 5030022, Cowanshannock Township, **Armstrong County** on March 23, 2011.

Wellhead Protection Program Approval issued to **Cowanshannock Township Municipal Authority** - Yatesboro-Numine, PO Box 74, PWSID 5030047, Cowanshannock Township, **Armstrong County** on March 23, 2011.

Wellhead Protection Program Approval issued to **Rural Valley Water Works**, PO Box 345, PWSID 5030012, Rural Valley Borough, **Armstrong County** on March 23, 2011.

Source Water Protection Program Approval issued to **Portage Borough Municipal Authority**, 606 Cambria Street, PWSID 4110027, Portage Borough, **Cambria County** on March 23, 2011.

Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 4310505, Public Water Supply

Applicant	Aqua Pennsylvania Inc
Township or Borough	City of Sharon
County	Mercer County
Type of Facility	Public Water Supply
Consulting Engineer	Mark A. Tompeck, PE
Permit to Construct Issued	03/25/2011

Operations Permit issued to **General Authority of the City of Franklin**, PWSID, #6610020, City of Franklin, **Venango County**. Permit Number 6191502-MA1 issued March 22, 2011, for operation of 4-Log treatment of viruses for Entry Point Nos. 110 and 111 at the treatment facilities in Franklin PA. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 6191502, issued August 03, 1993.

Operations Permit issued to **Smethport Borough**, PWSID, #6420023, Smethport Borough, **McKean County**. Permit Number 4294503-MA1 issued March 22, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 199 at the treatment facilities in Smethport PA. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 4294503, issued March 18, 1997.

Operations Permit issued to **Venango Water Company**, PWSID, #6610014, Sugar creek Borough, **Venango County**. Permit Number 6170502-MA1 issued March 22, 2011, for operation of 4-Log treatment of viruses for Entry Point Nos. 132 and 133 at treatment facilities in

Venango County PA. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 6170502.

Operations Permit issued to **Leo A. Pfadt, Jr., d/b/a Thomas Mobile Home Park**, PWSID, #6250067, Waterford Township, **Erie County**. Permit Number 2503502-MA1 issued March 24, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 100 at treatment facilities in Waterford PA. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2503502, issued March 10, 2006.

Operations Permit issued to **Bessemer Borough**, PWSID, #6370003, Bessemer Borough, **Lawrence County**. Permit Number 3791502-MA2 issued March 24, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Bessemer Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 3791502-MA1, issued July 18, 2002.

Operations Permit issued to **Aqua Pennsylvania Inc for Lake Latonka Water System**, PWSID, #6430059, Coolspring Township, **Mercer County**. Permit Number 366W013-T2-MA3 issued March 24, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Coolspring Township. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 366W013-T2, issued August 31, 2004.

Operations Permit issued to **Cochranon Borough for Cochranon Borough Water System**, PWSID, #6200008, Cochranon Borough, **Crawford County**. Permit Number 2090503-T1-MA2 issued March 25, 2011, for operation of 4-Log treatment of viruses for Entry Point Nos. 100 and 101 at treatment facilities in Cochranon Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2090503-T1-MA1, issued February 25, 1999.

Operations Permit issued to **Tionesta Borough for Tionesta Borough Water Treatment Plant**, PWSID, #6270001, Tionesta Borough, **Forest County**. Permit Number 2789501-MA2 issued March 25, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 110 at treatment facilities in Tionesta Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2789501-MA1, issued May 24, 1993.

Operations Permit issued to **Millers Water Company**, PWSID, #5100122, Karns City Borough, **Butler County**. Permit Number 1086507-MA2 issued March 25, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Karns City Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 1086507-MA1, issued March 12, 1993.

Operations Permit issued to **Pleasant Ridge Manor West**, PWSID, #6250048, Fairview Township, **Erie County**. Permit Number 2598502-MA1 issued March 25, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 100 at treatment facilities in Fairview Township. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2598502, issued December 2, 1998.

STORMWATER MANAGEMENT

Action on plans submitted under the Stormwater Management Act (32 P. S. § 680.9)

Bureau of Watershed Management, P. O. Box 8775, Harrisburg, Pennsylvania 17105-8775

The Erie County Act 167 Stormwater Management Plan, submitted by **Erie County**, was approved on March 25, 2011. This plan applies to all watersheds and to all areas within Erie County.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
(West Hempfield Twp)	(3401 Marietta Ave., Lancaster, PA 17601)	Lancaster County

Plan Description: The Mitchell S. Weaver proposed plan revision for subdivision of two residential lots, each using an on lot sewage system, plus a residue lot, was disapproved because the preliminary hydrogeologic study determined the minimum lot size to be 1.65 acres. Proposed Lot 1 does not meet this minimum requirement and therefore does not have the area required to infiltrate the amount of groundwater recharge necessary to successfully dilute the nitrate-nitrogen from this lot's sewage discharge. The average nitrate-nitrogen levels in the groundwater leaving this lot will exceed 10 mg/l. The proposed subdivision is located on the south side of Fairview Rd at the Raintree Road intersection in West Hempfield Township, Lancaster County. The DEP Code number for this proposal is A3-36960-280-2 and the APS number is 738586.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania*

Bulletin. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Former Barletta Materials Property, Southwest of Intersection of SR 924 and I-81, Hazle Township, **Luzerne County**. Lori Girvan, Barry Isett & Associates, Inc., 100 West Broad Street, Hazleton, PA 18201 has submitted a Final Report (on behalf of her client, CAN DO, Inc., 1 South Church Street, Hazleton, PA 18201), concerning the remediation of soil found to have been impacted by asphalt as a result of historical operations at the former asphalt plant, which was removed from the property in 2009. The report was submitted to document attainment of the Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Standard Speaker* on March 2, 2011.

Former Ashland Specialty Chemical Company, 400 Island Park Road, Glendon Borough, **Northampton County**. James McLaughlin, ARCADIS U.S., Inc., 10 South Riverside Plaza, Suite 1900, Chicago, IL 60606 has submitted a Remedial Investigation Report (on behalf of his client, Air Products and Chemicals, Inc., 7201 Hamilton Boulevard, Allentown, PA 18195-1501), concerning the remediation of soil and groundwater found to have been impacted by chlorinated VOCs as a result of historical chemical, industrial processes and disposal on the property, associated with operations prior to Ashland's ownership of the facility. The report was submitted to document attainment of Statewide Health Standard for soil and the Site-Specific Standard for soil and groundwater.

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

KBD Transportation, US Route 15S Accident, City of Williamsport, **Lycoming County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857, on behalf of KBD Transportation, 10739 County Road 2, Iroquois, ON, Canada, has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

EJA Trucking Inc. I-80 Exit 212B Accident, Turbot Township, **Northumberland County**. Northridge Group,

Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of EJA Trucking, Inc., 6040 Baumgartner Industrial Drive, St. Louis, MO 63129 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Evangelical Community Hospital, Kelly Township, **Union County**. Northridge Group, Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of Evangelical Community Hospital, 1 Hospital Drive, Lewisburg, PA 17837 has submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information

concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Pfizer, Inc., 8751 Paint Mill Road, Washington Township, **Lehigh County**. William B. Gilchrist, Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066 submitted a Risk Assessment Report/Final Report (on behalf of his client, Pfizer, Inc., 100 Route 206 North, Peapack, NJ 07977), concerning the remediation of soil found to have been impacted by VOCs, Inorganics, and benzo(a)pyrene as a result of historical operations at this former chromium oxide and chromium hydrate pigment manufacturing facility. The combined report documented attainment of both the Statewide Health Standard for soil and the Site-Specific Standard for soil. The Risk Assessment Report/Final Report was approved on March 21, 2011.

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

Merle Reedy Residence, Providence Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Merle Reedy, 112 Buck Heights Road, Quarryville, PA 17566 and Whitelock & Woerth, Inc., 1220 Georgetown Road, Christiana, PA 17509 submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil released from an aboveground storage tank. The site will be remediated to the Site-Specific Standard. The Report and Plan were approved by the Department on March 25, 2011.

Sunoco Pipeline—Roseville Road Site, Manheim Township, **Lancaster County**. Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343, on behalf of Sunoco, Inc., (R & M) 10 Industrial highway, MS4, Lester, PA 19029; J & J Snack Foods Corporation, 6000 Central Highway, Pennsauken, NJ 08109; Lyndon Diner, 1370 Manheim Pike, Lancaster, PA 17601; RE Michel Company, Inc., 1 RE Michel Drive, Glen Burnie, MD 21060; and Schwanger Brothers & Company, Inc., 500 West Roseville Road, Lancaster, PA 17601, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The site includes a portion of a Sunoco pipeline right-of-way and five adjacent properties. The Remedial Investigation and Final Report demonstrated a combination of the Residential Statewide Health and Site-Specific Standards, and was approved March 28, 2011.

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

Alpine Plaza, Wysox Township, **Bradford County**. Converse Consultants, 2738 West College Ave., State College, PA 16801 on behalf of William and Joan Woloshyn, RR 2, Box 72A-1, Wysox, PA 18854 and Arthur and Linda Green, RR 2, Box 1 39B-2, Towanda, PA 18848 has submitted a Final Report concerning the remediation of site groundwater contaminated with solvents. The

Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 23, 2011.

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

Former Camp Reynolds Small Arms Range and Infiltration Course, Pymatuning & Delaware Townships, Mercer County. Plexus Scientific Corporation, 9104 Guilford Road, Suite 1010, Columbia, MD 21046 on behalf of the U.S. Army Corps of Engineers, Baltimore District, 10 South Howard Street, Baltimore, MD 21201 has submitted a Final Report concerning the remediation of site soils contaminated with Lead and Antimony. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 24, 2011.

RESIDUAL WASTE GENERAL PERMITS

General Permit Renewal Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Central Office. Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit No. WMGR069. Cargill Meat Solutions Corp., P. O. Box 188, Rt. 706, Wyalusing, PA 18853.

The Department of Environmental Protection, Bureau of Waste Management has renewed the statewide residual waste General Permit WMGR069. The WMGR069 was renewed for the beneficial use of wastewater treatment sludge generated by a meat processing facility as a soil additive for agricultural purposes by land application. The general permit renewal was issued by the Central Office on March 25, 2011.

Persons interested in obtaining more information, or obtaining copies of the general permit may contact Mr. C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual waste, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Approved Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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. WMGR123R001. SWEPI, LP., 190 Thorn Hill Rd., Warrendale, PA 15086.

The general permit WMGR123R001 is for the processing of wastewater (i.e., flow back gas well water - frac water) from various Marcellus Shale gas drilling operations at the SWEPI, LP. - Tioga County Farm Tank wastewater treatment facility, located in the Covington Township, Tioga County. The processed wastewater will be beneficially used in the extraction of natural gas from various Marcellus Shale gas drilling operations. Central Office approved the determination of applicability on March 29th, 2011.

Persons interested in reviewing the general permit may contact C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401

Permit No. 301254. Clean Earth of Southeast Pennsylvania, Inc., 7 Steel Road East, Morrisville PA 19067-0847. This minor permit modification is to utilize certain commercially available soil drying agents or absorbent products in order to reduce moisture content of contaminated soil prior to processing at the Clean Earth of Southeast Pennsylvania, Inc., a residual waste processing facility located at 7 Steel Road East, in Falls Township, Bucks County. The permit was issued by the Southeast Regional Office on March 24, 2011.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

40-310-086GP3: Susquehanna Coal Company (PO Box 27, 31 N. Market Street, Nanticoke, PA 18634) on March 22, 2011 for the construction and operation of a Portable Crushing Operation with watersprays at the site located in Newport Twp., Luzerne County.

40-329-012GP9: Susquehanna Coal Company (PO Box 27, 31 N. Market Street, Nanticoke, PA 18634) on March 22, 2011 for the installation and operation of Diesel I/C engines located at the site located in Newport Twp., Luzerne County

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

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP5-56-00312: Caiman Penn Midstream, LLC (5949 Sherry Lane, Suite 1300, Dallas, TX 75225) on March 28, 2011, to allow the installation and operation of a new natural gas production facility consisting of one natural gas-fired compressor engine rated at 670 bhp and one dehydrator unit with a reboiler rated at 0.5 MMBtu/hr. The facility will be authorized under GP-5 for natural gas production, be named PMG Allen Unit, and be located in Addison Township, **Somerset County**.

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.

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

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

46-0262C: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) on March 22, 2011, for installation of a Pre-mix Dispenser (PMDD4) in the Pigment Dispersion Manufacturing Building II (Wet Building II) at the Penn Color facility in Hatfield Township, **Montgomery County**. The production plant manufacturers pigment dispersions and color concentrates for commercial use. Penn Color currently operates various equipment under Plan Approval No. 46-0262A. Facility Volatile Organic Compounds (VOC) and Particulate Matter (PM) emissions are below major facility thresholds for the Philadelphia Metropolitan Area; the facility is classified as a Synthetic Minor Facility. Emissions from the new dispenser (Source ID 123) will be controlled by the existing regenerative thermal oxidizer (Source ID C03) and an existing dust collector (Source ID C211) currently operating under Plan Approval No. 46-0262A. Plan Approval No. 46-0262C will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-0196F: Abington Reldan Metals, LLC (550 Old Bordentown Road, Fairless Hills, PA 19030) on March 23, 2011, for construction of fourteen (14) electric melt furnaces and five (5) natural gas-fired melt furnaces exhausting to three baghouses at a new precious metal recovery facility to be in Falls Township, **Bucks County**. This facility is a non-Title V facility, and this Plan Approval is a major modification to and upon issuance will supersede the Plan Approval, No. 09-0196B. This Plan Approval will contain record keeping requirements, monitoring requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

46-0161D: Reading Materials, Inc. (394 Sanatoga Road, Pottstown, PA 19464) on March 22, 2011, for modification of the Baghouse pressure drop range at their Asphalt Plant in Lower Pottsgrove Township, **Montgomery County**. This application is to modify Condition No.

7, Work Practice Requirements in Section D in State Only Operating Permit 46-00161 from 4 to 5 inches of water to 1 to 5 inches of water. The 1 to 5 inch range was observed during compliance stack testing as well as onsite inspections by the Department. There will be no emission increase with this modification. The Plan Approval will still include work practice standards, testing, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

46-0272: Tech Tube, Inc. (750 Vandenberg Road, King of Prussia, PA 19406) on March 22, 2011, for installation of a Batch Vapor Degreaser and a Carbon Adsorption System to control the Volatile Organic Compounds emissions in Upper Merion Township, **Montgomery County**. Tech Tube is a minor facility. The Degreaser uses trichloroethylene as a cleaning agent. The Degreaser is subject to Subpart T—National Emission Standards for Halogenated Solvent Cleaning. The Plan Approval will include monitoring, testing and recordkeeping 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 J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

ERC-44-05002A: CNH America LLC (700 State Street, Racine, WI 52404) for an Air Quality Emission Reduction Credit (ERC) approval of 30.31 tons of volatile organic compounds (VOC) at the now-closed farm equipment and machinery manufacturing facility that was located in Union Township, **Mifflin County**. The ERCs are being generated as a result of the May 2008 shutdown of the Sources 118, 124 and 128 painting operations.

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

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

63-00957B: Green Holdings Enlow, Inc. (1221 Avenue of America, Suite 4200, New York, NY 10020) on March 23, 2011, to allow the installation and initial temporary operation of a greenhouse gas (GHG) abatement system known as the Enlow GHG Abatement Project in Morris Township, **Washington County**. The project will consist of three (3) Durr Ecopure regenerative thermal oxidizers (RTOs) on the E-15 mine ventilation exhaust shaft from the Consol Enlow underground coal mine.

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

Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940

10-028I: Armstrong Cement and Supply Corp. (100 Clearfield Road, Cabot, PA 16023) on March 21, 2011, to install new burner systems on two (2) existing kilns at their facility on 100 Clearfield Road in Winfield Township, **Butler County**. This is a Title V facility, Permit No. 10-00028.

43-182B: JMC Steel Group - Wheatland Tube Co. - Church Street Plant (One Council Avenue, P. O. Box 608, Wheatland, PA 16161-0608) on March 21, 2011, for installation of a zinc metallizer unit and associated dust collector at their facility in Wheatland Borough, **Mercer County**. This is a Title V facility.

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.

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

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

09-0186B: Kinder Morgan Bulk Terminals, Inc. (1 Sinter Road, Fairless Hills, PA 19030) on March 21, 2011, to operate a bulk material handling system in Falls Township, **Bucks County**.

23-0111B: Centocor Research and Development, Inc. (145 King of Prussia Road, Radnor, PA 19087) on March 23, 2011, to operate an electric generator in Radnor Township, **Delaware County**.

46-313-146: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) on March 23, 2011, to operate a pigment dispersion facility in Hatfield Township, **Montgomery County**.

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

65-00016H: Latrobe Specialty Steel Co. (2626 Ligonier Street, Latrobe, PA, 15650) for an extension application to extend the plan approval until a renewal Title V Operating Permit can be issued to incorporate the plan approval requirements in Latrobe, **Westmoreland County**. Extension of the plan approval has been approved until September 30, 2011.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

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

23-00024: Hanson Aggregates PA, LLC. (523 West Forge Road, Glen Mills, PA 19342) on March 22, 2011, to operate their facility in Thornbury Township and Middletown Township, **Delaware County**. This action is a renewal of the permit for a non-Title V (Synthetic Minor) facility. The facility is a crushing plant, with an associated asphalt plant that is operated under a separate State Only Operating Permit (No. 23-00105). There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00105: Hanson Aggregates PA, LLC. (523 West Forge Road, Glen Mills, PA 19342) on March 22, 2011, to operate their facility in Thornbury Township, **Delaware County**. This action is a renewal of the permit for a non-Title V (Synthetic Minor) facility. The facility is an

asphalt plant, with an associated crushing plant that is operated under a separate State Only Operating Permit (No. 23-00024). There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00273: Titanium Finishing Co. (248 Main Street, East Greenville, PA 18041) on March 24, 2011, to operate an electroless plating and anodizing facility in East Greenville Borough, **Montgomery County**. The major sources of air emissions from this facility are one trichloroethylene (TCE) vapor degreaser, one electroless nickel plating process and one electroless chromium plating process. The proposed operating permit is for a non-Title V (State Only), Natural Minor facility. It contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00247: Universal Concrete Products Corp. (400 Old Reading Pike, Stowe, PA 19464) on March 24, 2011, for renewal of a non-Title V, State Only Operating Permit, Natural Minor facility in West Pottsgrove Township, **Montgomery County**. This facility manufactures precast concrete exteriors used for building architecture. This facility operates a Ross Concrete Batch Plant with a dust collector and applies a coating to the wooden to aid in the removal of concrete forms from their molds. Particulate matter emissions were estimated to be less than 15 tons per year from the Ross Plant, the unpaved roads, and the wind erosion of sand and aggregate storage piles. The facility has the potential to emit 4.5 tons of hazardous air pollutants per year from the coatings used to aid in the release of concrete from their wooden molds. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

07-05039: Chicago Rivet and Machine Co. (2728 Adams Avenue, Tyrone, Pennsylvania 16686) on March 22, 2011, for their metal fastener manufacturing facility in Tyrone Borough, **Blair County**. This is a renewal of the State Only Operating permit.

06-05068: Reading Terminals Corp. (PO Box 2621, Harrisburg, PA 17105-2621) on March 21, 2011, for their gasoline terminal in Sinking Spring Borough, **Berks County**. This is a renewal of the State Only Operating permit.

36-03106: New Enterprise Stone & Lime Co, Inc. - d/b/a Martin Limestone, Inc. (PO Box 550, Blue Ball, PA 17506) on March 21, 2011, for the limestone quarry and rock crushing facility in West Cocalico Township, **Lancaster County**. This is a renewal of the State Only Operating permit.

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

Contact: Edward Brawn, Chief—Telephone: 215-685-9476

S10-024: Philadelphia Phillies (One Citizens Bank Park Way, Philadelphia, PA 19148) on March 28, 2011, to operate the Citizens Bank Park baseball stadium in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three 191 HP boilers an 1818 BHP generator, and a 2889 BHP generator.

S10-014: Ryder Truck Rental, Inc. (9751 Blue Grass Road, Philadelphia, PA 19114) on March 17, 2011, to operate a truck renting and leasing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a paint booth, a stage II vapor recovery system for an 8,000 gallon UST for gasoline, and a 300,000 BTU/hr warm air furnace firing natural gas.

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.

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

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

23-00012: Braskem PP Americas, Inc. (750 West 10th Street, Marcus Hook, PA, 19061-4500) on March 24, 2011, for their polypropylene manufacturing plant in Marcus Hook Borough, **Delaware County**. The Title V permit was administratively amended to make name change and incorporate the requirements of Plan Approval No. 23-0012A. The amended Title V Operating Permit contains the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

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

Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935

01-05029: GenOn Wholesale Generation, LP (121 Champion Way, Suite 200, Canonsburg, PA 15317-5817) on March 21, 2011, for their electric generating facility in Straban Township, **Adams County**. The permit was administratively amended to reflect a change in the company name, change in the permit contact, and to make some minor language corrections. This is Revision 2 of the permit.

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

Contact: Edward Braun, Chief—Telephone: 215-685-9476

S04-019: Clean Earth of Philadelphia, LLC (3201 South 61 Street, Philadelphia, PA 19153) on March 14, 2011, administratively amended to change the facility name from Clean Earth of Philadelphia, Inc. to Clean Earth of Philadelphia, LLC. The Synthetic Minor Operating Permit was originally issued on December 30, 2008.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940

10-00281: II VI, Inc. (375 Saxonburg Boulevard, Saxonburg, PA 16056) for their facility in Clinton Township, **Butler County**. The De minimis emission increase is for the construction of a Batch Vapor Machine. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on July 25, 2008.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
4-28-10	Crystalline Powder Process				0.04	
3-24-11	Batch Vapor Machine				0.52	
Total Reported Increases					0.56	
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

24-00145: GE Thermometrics, Inc. (967 Windfall Road, St Marys, PA 15857-3397) for their facility in St Marys City, **Elk County**. The De minimis emission increase is for the construction of two laser etching operations. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on June 2, 2010.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
3-24-11	2 Laser Etching Operations	0.0125	0	0	0.103	0

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
Total Reported Increases		0.0125			0.103	
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Actions

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

30841316 and NPDES Permit # PA0213535, Consol Pennsylvania Coal Company, LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** to install two (2) ventilation boreholes. Surface Acres Proposed 7.1. No additional discharges. Application received: July 23, 2010. Permit issued: March 25, 2011.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

32100102 and NPDES Permit No. PA0263044, Britt Energies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, commencement, operation and restoration of a bituminous surface mine in Burrell Township, **Indiana County**, affecting 110.3 acres. Receiving stream(s): unnamed tributaries to/and Conemaugh River classified for the following use(s): cold water and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: July 7, 2010. Permit issued: March 23, 2011.

56663069, NPDES No. PA0120944 and General Permit GP-12-56663069, Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, revision of an existing bituminous surface to obtain coverage for coal processing under air quality general permit GP-12 in Elk Lick and Summit Townships, **Somerset County**, affecting 3040.0 acres. Receiving stream(s): unnamed tributaries to Casselman River, Casselman River, unnamed tributary to Elk Lick Creek and Elk Lick Creek classified for the following use(s): cold water fishery. There are no public water supply intakes within 10 miles downstream. Application received: October 1, 2010. Permit issued: March 17, 2011.

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

17080109 and NPDES No. PA0256838, Hilltop Coal Co. (12 Dutchtown Road, Houtzdale, PA 16651). Commencement, operation and restoration of a bituminous surface mine located in Bigler Township, **Clearfield County** affecting 161.2 acres. Receiving streams: Japling Run and an unnamed tributary to Muddy Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Permit issued: March 21, 2011. Permit expires: March 21, 2016.

Noncoal Permits Actions

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

08090302 and NPDES No. PA0257168, Calvin C. Cole, Inc. (27321 Route 22, Milan, PA 18831). Commencement, operation and restoration of a shale and limestone operation in Burlington Borough/Burlington Township, **Bradford County** affecting 19.2 acres. Receiving stream: Sugar Creek classified for cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 4, 2009. Permit issued: March 23, 2011.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

30114001. Shallenberger Construction, Inc. (2611 Memorial Ave., Connellsville, PA 15425). Blasting activity permit for the construction of the Keiffer Unit Atlas Resources Well Site, to construct seismic well pad located in Jefferson Township, **Greene County**. The duration of blasting is expected to last six months. Blasting permit issued: March 23, 2011.

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

08114012. Doug Wathen, LLC (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for Taylor gas pad and 2480 feet of new access road located in Rome and Orwell Townships, **Bradford County**. Permit issued: March 16, 2011. Permit expires: March 1, 2012.

08114013. Doug Wathen, LLC (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for VRGG gas pad located in Wilmont Township, **Bradford County**. Permit issued: March 15, 2011. Permit expires: March 15, 2012.

08114109. Holbert Explosives, Inc. (237 Mast Hope Plank Road, Lackawaxen, PA 18435). Blasting for a pipeline located in Stevens and Tuscarora Townships, **Bradford County**. Permit issued: March 23, 2011. Permit expires: February 22, 2012.

57114102. Maurer & Scott Sales, Inc. (122 Thomas St., Coopersburg, PA 18036-2100). Blasting for a well pad located in Elkland Township, **Sullivan County**. Permit issued: March 23, 2011. Permit expires: May 31, 2011.

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

66114108. Midstream Explosives, LLC, (289 Southside Drive, Newville, PA 17241), construction blasting for Polovitch to Wilson Pipeline in Lathrop, Nicholson and Lemon Townships, **Wyoming County** with an expiration date of March 12, 2012. Permit issued: March 22, 2011.

67114104. Abel Construction Co., Inc., (P. O. Box 476, Mountville, PA 17554), construction blasting for Country Side line sewer tie in East Prospect Borough, **York County** with an expiration date of September 18, 2011. Permit issued: March 23, 2011.

58114005. John Brainard, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for the Bonnice Well Pad & Pond in Jessup & Bridgewater Townships, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: March 24, 2011.

58114006. John Brainard, (3978 State Route 2073, Kingsley, PA 19926), construction blasting for the Baker North Well Pad in Forest Lake Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: March 24, 2011.

64114001. Northeast Blasting, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for the Gerald Rickard Farm Shale Bank in Cherry Ridge Township, **Wayne County** with an expiration date of April 15, 2012. Permit issued: March 24, 2011.

58114004. John Brainard, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for the Mastri Well Pad in Lenox Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: March 24, 2011.

36114119. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Beiler single dwelling in East Lampeter Township, **Lancaster County** with an expiration date of March 21, 2012. Permit issued: March 24, 2011.

36114120. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Beiler Manure Pit in East Lampeter Township, **Lancaster County** with an expiration date of March 21, 2012. Permit issued: March 24, 2011.

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

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

E23-490—Pennsylvania Department of Transport, District 6; 7000 Geerdes Blvd, Doylestown Township, **Bucks County**. ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities across Darby Creek (WWF, MF) associated with State Route 291, section 32 M Bridge rehabilitation project:

1. To replace the existing superstructure of the bridge. The proposed bridge will carry a 6-foot, 11-inch wide multi-use trail.
2. To place and maintain rip-rap around the substructure associated with scour protection.
3. To construct and maintain a temporary cofferdam associated with scour protection work.
4. To relocate the existing utility lines by attaching them to the proposed superstructure.
5. To construct and maintain an outfall structure.

The project site is located approximately 910 feet Northeast of the intersection of Industrial Highway (SR0291) and Steward Avenue in Tincicum Township,

Delaware County (PA Bridgeport USGS Quadrangle N:21.12 inches; W:8.95 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335.

E42-349, Bradford Area School District, 150 Lorana Avenue, Bradford, PA 16701. Bradford High School Fitness Center Addition, in the City of Bradford, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41°, 57', 36"; W: 78°, 39', 47").

To construct and maintain an approximately 4265 square foot fitness center addition to Bradford High School and resurface the existing adjacent parking lot within the floodway (50 feet from the top of the bank) and within the left (looking downstream) FEMA approximate floodplain of Bennett Brook in the City of Bradford, McKean County approximately 400 feet northeast of the intersection of Fairbanks Avenue and Willard Avenue. Project includes floodplain mitigation via excavation of 252 cubic feet of the left floodplain approximately 170 feet upstream of the proposed fitness center.

Permit No. 301338. Calgon Carbon Corporation, 1055 Boot Road, Downingtown, PA 19355. This permit is for a 10-year renewal for continuing operations at the Calgon Carbon Corporation, an existing residual waste transfer facility located at 1055 Boot Road, Downingtown, PA, in East Caln Township, **Chester County**. The permit was issued by the Southeast Regional Office on March 25, 2010.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Northcentral Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-1 # ESX11-023-0002
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 455 Racetrack Road
City, State, Zip Washington, PA 15301
County Cameron Township(s) Shippen Twp.
Receiving Stream(s) and Classification(s) E Br Hicks Run (HQ-CWF), UNT to E. Br Hicks Run (HQ-CWF)—both part of Sinnemahoning Cr Watershed

ESCGP-1 # ESX09-033-0003(04)
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 455 Racetrack Road
City, State, Zip Washington, PA 15301
County Clearfield Township(s) Ferguson and Jordan Twps.
Receiving Stream(s) and Classification(s) Snyder/Tuckers/Woods/Barrett/Wilson/N Witmer Runs, Watts Cr, Chest Cr (CWF, MF), Little Clearfield Cr (HQ, CWF, MF)

ESCGP-1 # ESX11-033-0006
Applicant Name Carrizo Marcellus, LLC
Contact Person Gary Byron
Address 251 Drain Lick Rd, P. O. Box 231
City, State, Zip Drifting, PA 16834
County Clearfield Township(s) Karthaus Twp.
Receiving Stream(s) and Classification(s) Saltlick Run, W. Br. Susquehanna River

ESCGP-1 # ESX11-035-0004
Applicant Name Great Mountain Operating
Contact Person James Smith
Address 611 S. Main Street
City, State, Zip Grapevine, TX 76051
County Clinton Township(s) Gallagher Twp.
Receiving Stream(s) and Classification(s) Wildcat Hollow to Rattlesnake Run

ESCGP-1 # ESX11-131-0008
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Wyoming Township(s) Windham Twp.
Receiving Stream(s) and Classification(s) Farr Hollow, Mehoopany Cr

ESCGP-1 # ESX11-015-0037
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford Township(s) New Albany Borough and Albany Twp.
Receiving Stream(s) and Classification(s) Ladds Creek, South Br. Towanda Cr

ESCGP-1 # ESX11-015-0051
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford Township(s) Wilmot Twp.
Receiving Stream(s) and Classification(s) N Fork Mehoopany Cr (CWF/MF), Sugar Run Cr (CWF/MF), Mehoopany Cr (CWF/MF), Susquehanna R (WWF/MF)

ESCGP-1 # ESX11-015-0050
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford Township(s) Towanda Twp.

Receiving Stream(s) and Classification(s) Towanda Cr/
UNT to Towanda Cr WWF/WWF

ESCGP-1 # ESX10-015-0227(03)

Applicant Name Talisman Energy USA, Inc.

Contact Person Eric Potter

Address 337 Daniel Zenker Dr

City, State, Zip Horseheads, NY 14845

County Bradford Township(s) Canton, Granville, & Troy
Twps.

Receiving Stream(s) and Classification(s) Wallace Br
(CWF-MF), N Br Towanda Cr (CWF-MF), Alba Cr
(CWF-MF)

ESCGP-1 # ESX11-015-0055

Applicant Name Talisman Energy USA, Inc.

Contact Person Tracy Gregory

Address 337 Daniel Zenker Dr

City, State, Zip Horseheads, NY 14845

County Bradford Township(s) Wells Twp.

Receiving Stream(s) and Classification(s) (2) UNTs to
Beckwith Cr (CWF/MF), Beckwith Cr (CWF/MF)

ESCGP-1 # ESX11-015-0056

Applicant Name Talisman Energy USA, Inc.

Contact Person Tracy Gregory

Address 337 Daniel Zenker Dr

City, State, Zip Horseheads, NY 14845

County Bradford Township(s) Pike Twp.

Receiving Stream(s) and Classification(s) UNT to Gaylord
(HQ-CWF/MF), UNT to Williams Cr (CWF/MF),
Gaylord Cr (HQ-CWF/MF)

ESCGP-1 # ESX11-033-0008

Applicant Name EOG Resources, Inc.

Contact Person William Burket

Address 400 Southpointe Blvd, Plaza 1, Ste 300

City, State, Zip Canonsburg, PA 15317

County Clearfield Township(s) Lawrence Twp.

Receiving Stream(s) and Classification(s) UNT Trout Run,
Bee Hollow, UNT Coldstream Run, Trout Run, Susque-
hanna River

ESCGP-1 # ESX11-033-0007

Applicant Name EOG Resources, Inc.

Contact Person William Burket

Address 400 Southpointe Blvd, Plaza 1, Ste 300

City, State, Zip Canonsburg, PA 15317

County Clearfield Township(s) Lawrence Twp.

Receiving Stream(s) and Classification(s) UNT Lick Run,
Lick Run, Susquehanna River

ESCGP-1 # ESX11-015-0049

Applicant Name EOG Resources, Inc.

Contact Person Nathan Wells, Sr

Address 400 Southpointe Blvd, Plaza 1, Ste 300

City, State, Zip Canonsburg, PA 15317

County Bradford Township(s) Springfield Twp.

Receiving Stream(s) and Classification(s) Mill Creek
(TSF), Sugar—Towanda Creek, Sugar Creek (TSF)

ESCGP-1 # ESX11-015-0045

Applicant Name Appalachia Midstream Services, LLC

Contact Person Patrick Myers

Address 100 1st Center

City, State, Zip Horseheads, NY 14845-1015

County Bradford Township(s) Rome, Orwell, Wysox, and
Standing Stone Twps.

Receiving Stream(s) and Classification(s) CFW, MF: Trib.
to Bullard Cr, Trout Stream, Wysox Cr, Jerome Cr,
Beaver Cr, Johnson Cr; WWF, MF: Parks Cr, Vought
Cr, Trib To Rummerfield Cr; Susquehanna R Wtrshd

*Northwest Region: Oil and Gas Program Manager, 230
Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX10-083-0010A—Warrant 4917 Phase 2

Applicant U.S. Energy Development Corporation

Contact Todd Witmer

Address 2350 North Forest Road

City Getzville State NY Zip Code 14068

County McKean Township(s) Foster(s)

Receiving Stream(s) and Classification(s) Yeager Brook—
HQ-CWF

ESCGP-1 #ESX11-019-0060—Godfrey Unit No. 1

Applicant Phillips Exploration, Inc.

Contact Gary Clark

Address 502 Keystone Drive

City Warrendale State PA Zip Code 15086

County Butler Township(s) Penn(s)

Receiving Stream(s) and Classification(s) UNT of Thorn
Creek—WWF—Other—Secondary Water Thorn Creek—
WWF

ESCGP-1 #ESX10-031-0006

Applicant Name Stone Energy Corp—Ashbaugh 1H

Contact Person Kevin Stiles

Address 6000 Hampton Center Suite B

City Morgantown State WV Zip Code 26505

County Clarion Township(s) Ashland

Receiving Stream(s) and Classification(s) UNT of Canoe
Creek/Clarion River HQ;

ESCGP-1 #ESX10-031-0007

Applicant Name Stone Energy Corp—Emrick 1H

Contact Person Kevin Stiles

Address 6000 Hampton Center Suite B

City Morgantown State WV Zip Code 26505

County Clarion Township(s) Beaver & Elk

Receiving Stream(s) and Classification(s) UNT of Canoe
Creek HQ

ESCGP-1 #ESX10-083-0024

Applicant East ResourcesManagemnt LLC.—Warrant

3124 Well 1003 5H

Contact Scott Blauvelt

Address 190 Thorn Hill Road

Warrendale PA 15086

County McKean Township(s) Hamlin

Receiving Stream(s) and Classification(s) South Branch
Kinzua Creek /Ohio River Basin in PA, Alleghheny
River HQ-CWF

ESCGP-1 # ESX10-019-0044

Applicant Phillips Exploration Inc.—Roger A. Salvatora 1,
2H

Contact Gary Clark

Address 502 Keystone Dr.

Warrendale PA 15086

County Butler Township(s) Summit

Receiving Stream(s) and Classification(s) UNT Coal Run
(WWF)

ESCGP-1 #ESX10-019-0043

Applicant Rex Energy Corp—Southwest Butler County
Project Phase VII

Contact Timothy Beattie

Address 476 Rolling Ridge Dr, Suite 300

State College PA 16801

County Butler Township(s) Connoquenessing

Receiving Stream(s) and Classification(s) UNT to Con-
noquenessing Creek, CWF;

ESCGP-1 #ESX10-083-0027

Applicant SM Energy Co. Potato Creek 3H Compressor
Pad & Pipeline

Contact Michael Lynch

Address 7060 South Yale

Tulsa OK 74136

County McKean Township(s) Norwich
 Receiving Stream(s) and Classification(s) Lyman Run HQ,
 CWF

ESCGP-1 #ESG09-083-0021
 Applicant US Energy Development Corp
 Contact Todd Witmer
 Address 2350 North Forest Road
 Getzville NY 14068

County McKean Township(s) Corydon
 Receiving Stream(s) and Classification(s) North Branch
 Willow Creek & Boat Road Run (HQ)

ESCGP-1 #ESX10-019-0046
 Applicant Name Phillips Exploration, Inc.—Ralph Bach-
 man No 1, 2H
 Contact Person Gary A. Clark
 Address 502 Keystone Drive
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Jefferson
 Receiving Stream(s) and Classification(s) UNT Thorn
 Creek—WWF

ESCGP-1 #ESX10-123-0003
 Applicant Name Lindell & Maney LLC—Dallas Brown
 Leases
 Contact Person Jake A. Lindell
 Address 760 Beech Street
 City Warren State PA Zip Code 16365
 County Warren Township(s) Brokenstraw
 Receiving Stream(s) and Classification(s) Anders Run,
 Allegheny River—other

ESCGP-1 #ESX11-047-0017—Stoney Brook
 Applicant EQT Production Company

Contact Mr. Todd Klaner
 Address 455 Racetrack Road
 City Washington State PA Zip Code 15301
 County Jay Township Township(s) Elk County(s)
 Receiving Stream(s) and Classification(s) Two Unnamed
 Tributaries to Caledonia Run (CWF) & Stony Brook
 (CWF), All are part of the Sinnemahonig Creek water-
 shed.

ESCGP-1 #ESX11-019-0061—Thackray Unit No. 1H, 2H,
 3H

Applicant Phillips Exploration, Inc.
 Contact Gary Clark
 Address 502 Keystone Drive
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Forward(s)
 Receiving Stream(s) and Classification(s) Glade Run—
 WWF, UNT of Glade Run—WWF, Connequenessing
 Creek—WWF

ESCGP-1 #ESX11-047-0018—COP 65H 66H
 Applicant EOG Resources, Inc.
 Contact William Burket
 Address 400 Southpointe Blvd, Plaza 1, Suite 300
 City Canonsburg State PA Zip Code 15317
 County Elk Township(s) Jones(s)
 Receiving Stream(s) and Classification(s) Straight
 Creek—HQ, East Branch Clarion River Lake

*Southwest Region: Water Management Program Man-
 ager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.*

*Washington County Conservation District: 100 West
 Beau Street, Suite 105, Washington, PA 15301-4447. (724-
 228-6774)*

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0063 11 8 001	Mark West Liberty Midstream & Resources, LLC 601 Technology Drive Suite 130 Canonsburg, PA 15317	Washington	Amwell Township	UNT to Bane Creek

SPECIAL NOTICES

Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mr. Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, PO Box 8472, Harrisburg, PA 17105-8472.

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Northcentral	Centre	Centre County	Assess County's waste & recycling facilities beyond the current 10- year plan.	\$45,000

Approval of Registration/Application Under General Permit for Short-Term Construction Project BMR-GP-103
Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200

08101006. TMT Gravel and Contracting, Inc. (112 Farrier Avenue, Suite 314 Oneida NY 13421-1637), authorization to extract sandstone, sand, and gravel in Wells Township, **Bradford County**. Revision received to add providing materials for new highway construction project and to allow blasting. Receiving streams: Seeley Creek and Chemung River. Authorization approved March 23, 2011.

[Pa.B. Doc. No. 11-610. Filed for public inspection April 8, 2011, 9:00 a.m.]

Alternative Fuels Incentive Grant Program; Program Opportunity

The Department of Environmental Protection (Department), Bureau of Energy, Innovations and Technology Deployment announces an opportunity to apply for grants under the Alternative Fuels Incentive Grant Program (Program) to improve this Commonwealth's air quality and reduce consumption of imported oil through the use of homegrown alternative fuels that will help this Commonwealth's economy and environment. The Department is seeking applications for innovative, advanced fuel and vehicle technology projects resulting in cleaner advanced alternative transportation within this Commonwealth.

Funding is available for school districts, municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth to retrofit fleet vehicles to operate on alternative fuels, subsidize the cost of the purchase of an alternative fuel vehicle for a fleet or subsidize the cost to install fleet refueling equipment for alternative fuel vehicles or support next phase advanced research, development and training related to alternative fuels and alternative fuel vehicles.

Funding is also available for school districts, municipal authorities, political subdivisions and nonprofit entities to subsidize the incremental cost to purchase biofuel and provide refueling and storage equipment or related tank cleaning.

Project costs cannot be incurred before July 1, 2011.

The Program guidelines and application instructions are available on the Department's web site at <http://www.depweb.state.pa.us> (click on "DEP Programs" and then "Alternative Fuels"). Applications will be accepted online through the eGrants system. Visit <https://www.grants.dcnr.state.pa.us/> and click on "Find a Grant." Scroll down to "AFIG" and click "Apply for this grant."

The application period will open on April 15, 2011. Applications must be submitted by 4 p.m. on June 17, 2011. Hardcopy applications will not be accepted.

MICHAEL L. KRANCER,
Acting Secretary

[Pa.B. Doc. No. 11-611. Filed for public inspection April 8, 2011, 9:00 a.m.]

Bid Opportunity

BOGM 11-1, Cleaning Out and Plugging Two Orphan Gas and Oil/Gas Wells (Albert Andy and Fred Dalbo properties), North Strabane and Cecil Townships, Washington County. The principle items of work include cleaning out and plugging two orphan gas and oil/gas wells, estimated to be 2,000 and 3,500 feet in depth, to Department of Environmental Protection specifications; preparing and restoring well sites; and mobilizing and demobilizing plugging equipment. This project issues on April 8, 2011, and bids will be opened on May 5, 2011, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,
Acting Secretary

[Pa.B. Doc. No. 11-612. Filed for public inspection April 8, 2011, 9:00 a.m.]

Bid Opportunity

OSM 35(2181)103.1, Abandoned Mine Reclamation Project, Colliery Road, Dickson City Borough, Lackawanna County. The principle items of work and approximate quantities include mobilization and demobilization; implementation of the erosion and sediment control; grading 66,000 cubic yards; backfilling shaft 6,700 cubic yards; building inspection and report; and seeding 8 acres. This bid issues April 8, 2011, and bids will be opened on April 28, 2011, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328), and is subject to the act, and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,
Acting Secretary

[Pa.B. Doc. No. 11-613. Filed for public inspection April 8, 2011, 9:00 a.m.]

Laurel Hill/Back Creek Critical Area Advisory Committee Meeting

The Laurel Hill/Back Creek Critical Area Advisory Committee (CAAC), associated with the Department of Environmental Protection (Department), will meet on the following dates, from 9:30 a.m. to 12 p.m., at the Dogwood Forum at Seven Springs Resort, Seven Springs, PA 15622:

April 21, 2011
 May 4, 2011
 June 1, 2011
 July 6, 2011
 August 3, 2011
 September 7, 2011
 October 5, 2011
 November 2, 2011
 December 7, 2011

The CAAC was created by the Ohio Regional Water Resources Committee under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a Critical Area Resource Plan (CARP). The Department has designated Laurel Hill and Back Creeks as Critical Water Planning Areas. The Department will work with the local CAAC and the Ohio Regional Water Resources Committee to develop a CARP for both watersheds.

Questions concerning the schedule or agenda items can be directed to Jay Braund at (717) 783-2402 or jbraund@state.pa.us. This schedule, an agenda for the meeting and meeting materials will be available through the Public Participation Center on the Department's web site at www.depweb.state.pa.us.

Persons with a disability who require accommodations to attend any of the meetings listed previously should contact the Department at (717) 783-2402 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,
Acting Secretary

[Pa.B. Doc. No. 11-614. Filed for public inspection April 8, 2011, 9:00 a.m.]

Ohio Regional Water Resources Committee Meeting

The Ohio Regional Water Resources Committee, associated with the Department of Environmental Protection (Department), will meet on April 21, 2011, from 9:30 a.m. to 12 p.m., at the Dogwood Forum at the Seven Springs Resort, Seven Springs, PA 15622.

The regional water resources committees were created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of the State Water Plan and the designation of Critical Water Planning Areas for this Commonwealth.

Questions concerning the schedule or agenda items can be directed to Jay Braund at (717) 783-2402 or jbraund@state.pa.us. This schedule, an agenda for the meeting and meeting materials will be available through the Public Participation Center on the Department's web site at www.depweb.state.pa.us.

Persons with a disability who require accommodations to attend the meeting listed previously should contact the

Department at (717) 783-2402 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,
Acting Secretary

[Pa.B. Doc. No. 11-615. Filed for public inspection April 8, 2011, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Elk Regional Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Elk Regional Health Center has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

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@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-616. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of Grant Surgicenter for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grant Surgicenter has requested an exception to the requirements of 28 Pa. Code §§ 551.3(ii) and 555.31(a) (relating to definitions; and principle).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-617. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of Lancaster Rehabilitation Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lancaster Rehabilitation Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-618. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of Magee-Womens Hospital of UPMC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Magee-Womens Hospital of UPMC has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following stan-

dards contained in this publication: 2.2-3.10.6.10 and 2.1-2.6.10.2(2) (relating to soiled workroom) and 3.1-3.2.2.2(2) (relating to exam table clearance).

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@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-619. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of Mahoning Valley Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mahoning Valley Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-620. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of Miner's Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Miner's Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.1-7.2.2.1(1) (relating to public corridor).

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@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-621. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of The Reading Hospital SurgiCenter at Spring Ridge for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Reading Hospital SurgiCenter at Spring Ridge has requested an exception to the requirements of 28 Pa. Code §§ 555.3, 555.4 and 555.22(d) (relating to requirements for membership and privileges; clinical activities and duties of physician assistants and certified registered nurse practitioners; and preoperative care).

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@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-622. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of Waynesboro Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Waynesboro Hospital has requested an exception to the requirement of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-623. Filed for public inspection April 8, 2011, 9:00 a.m.]

Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 7.1—Table 7-1 (relating to ventilation).

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@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-624. Filed for public inspection April 8, 2011, 9:00 a.m.]

Approved Drugs for ALS Ambulance Services

Under 28 Pa. Code § 1005.11 (relating to drug use, control and security), the following drugs are approved for use by ground advanced life support (ALS) ambulance services and may be administered by emergency medical technicians—paramedics, prehospital registered nurses and health professional physicians when use of the drugs is permitted by the applicable Department of Health (Department) approved regional medical treatment protocols:

1. Activated charcoal
2. Acetaminophen
3. Adenosine
4. Albuterol
5. Amiodarone
6. Antimicrobials (for interfacility transport only)
7. Aspirin
8. Atropine sulfate
9. Benzocaine—for topical use only
10. Bretylium
11. Calcium chloride
12. Calcium gluconate
13. Captopril
14. Dexamethasone sodium phosphate
15. Diazepam
16. Dilaudid—for interfacility transports only*
17. Diltiazem
18. Diphenhydramine HCL
19. Dobutamine
20. Dopamine
21. Enalapril
22. Epinephrine HCL
23. Etomidate (only permitted for services approved by a regional EMS council and participating in the required QI program)
24. Fentanyl
25. Furosemide
26. Glucagon

27. Heparin by intravenous drip—for interfacility transports only*
28. Heparin lock flush
29. Hydrocortisone sodium succinate
30. Glycoprotein IIb/IIIa Inhibitors—for interfacility transports only*
 - a. Abciximab
 - b. Eptifibatide
 - c. Tirofiban
31. Intravenous electrolyte solutions
 - a. Dextrose
 - b. Lactated Ringer's
 - c. Sodium chloride
 - d. Normosol
 - e. Potassium—for interfacility transports only*
32. Ipratropium Bromide
33. Isoproterenol HCL—for interfacility transports only*
34. Levalbuterol—for interfacility transports only*
35. Lidocaine HCL
36. Lorazepam
37. Magnesium sulfate
38. Methylprednisolone
39. Midazolam
40. Morphine sulfate
41. Naloxone HCL
42. Nitroglycerin (all forms/routes, but continuous intravenous infusion must be regulated by an infusion pump)
43. Nitrous oxide
44. Ondansetron
45. Oxytocin
46. Pralidoxime CL
47. Procainamide
48. Sodium bicarbonate
49. Sodium thiosulfate
50. Sterile water for injection
51. Terbutaline
52. Tetracaine—for topical use only
53. Total parental nutrition (for interfacility transport only)
54. Verapamil

* During interfacility transport, all medications given by continuous infusion (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) must be regulated by an infusion pump.

This list supersedes the list of approved drugs published at 38 Pa.B. 6564 (November 29, 2008).

The following changes are:

- (1) Addition of acetaminophen
- (2) Addition of antimicrobials (for interfacility transport only)

(3) Addition of total parenteral nutrition (for interfacility transport only)

(4) Clarification that etomidate can only be used by regionally approved services that are participating in the required QI program

(5) Removal of metaproteranol (Alupent)

(6) All forms of nitroglycerin can be administered.

Ambulance services are not authorized to stock drugs designated "for interfacility transports only." However, paramedics and health professionals may administer a drug so designated if the facility transferring a patient provides the drug, directs that it be administered to the patient during the transfer, and the regional transfer and medical treatment protocols permit the administration of the drug by those personnel. See 28 Pa. Code § 1005.11(a)(3) and (d).

Section 1005.11 of 28 Pa. Code permits a ground ALS ambulance service to exceed, under specified circumstances, the drugs (taken from the master list) that a region's medical treatment protocols authorize for use within the region. In addition, under 28 Pa. Code § 1001.161 (relating to research), the Department may approve an ambulance service to engage in a research project that involves use of a drug not included in a region's medical treatment protocols. Finally, under 28 Pa. Code § 1001.4 (relating to exceptions), a ground ALS ambulance service and its ALS service medical director may apply to the Department for an exception to a region's medical treatment protocols.

The list of drugs in this notice does not apply to air ambulance services. Under 28 Pa. Code § 1007.7(i)(2) (relating to licensure and general operating requirements), each air ambulance service is to develop its own medical treatment protocols which identify drugs that may be used by the air ambulance service. The air ambulance service is to then submit the protocols to the medical advisory committee of the appropriate regional emergency medical services council for the medical advisory committee's review and recommendations. Following its consideration of the recommendations, and after making further revisions if needed, the air ambulance service is to file the protocols with the Department for approval.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Robert Cooney at the Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street Harrisburg, PA 17120-0701, (717) 787-8740. Speech or hearing impaired persons may use V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-625. Filed for public inspection April 8, 2011, 9:00 a.m.]

Chronic Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, April 29, 2011, from 10 a.m. to 2 p.m. The meeting will be

held in Conference Room 327, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Questions regarding this notice, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Carolyn S. Cass, Director, Division of Child and Adult Health, Department of Health, Health and Welfare Building, 625 Forster Street, Seventh Floor East Wing, Harrisburg, PA 17120. For speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-626. Filed for public inspection April 8, 2011, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

Epworth Manor
951 Washington Avenue
Tyrone, PA 16686

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities).

Kepler Home
44 South Market Street
Elizabethville, PA 17023

These requests are on file with the Department of Health (Department). Persons may receive a copy of the request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on this 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 15 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 V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

[Pa.B. Doc. No. 11-627. Filed for public inspection April 8, 2011, 9:00 a.m.]

Prehospital Practitioner Scope of Practice

Under 28 Pa. Code §§ 1003.21(c)(13), 1003.22(e)(3), 1003.23(f), 1003.24(e) and 1003.25(b) and (c), the Department of Health (Department) is publishing the scope of practice for ambulance attendants, first responders, emergency medical technicians (EMTs), EMT—paramedics (EMT-Ps) and prehospital registered nurses (PHRNs) under 35 Pa.C.S. §§ 8101—8157 (relating to Emergency Medical Services System Act).

Skills identified may be performed by a prehospital practitioner at the practitioner's level of certification/recognition only if the practitioner has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate.

A PHRN with medical command authorization may perform, in addition to those services within an EMT-Ps scope of practice, other services authorized by The Professional Nursing Law (63 P. S. §§ 211—225.5), when authorized by a medical command physician through either online medical command or standing medical treatment protocols. To administer drugs in addition to those permitted by applicable medical treatment protocols, a PHRN must also have received approval to do so by the advanced life support service medical director of the advanced life support ambulance service under which the PHRN is functioning.

This list supercedes the list of skills in the scope of practice of prehospital personnel published at 38 Pa.B. 6565 (November 29, 2008). Two changes have been made. The changes are as follows:

- Removing MAST as an approved treatment.
- Adding Transport Ventilators for use by ALS providers and Carbon Monoxide Co-oximetry monitoring.
- Persons with a disability who require an alternate format of this notice (for example, large print, audiotope, Braille) should contact Robert Cooney, Emergency Med-

ical Services System Act, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Acting Secretary

Yes—The skill is in the scope of practice for the level of certification

No—The skill is not in the scope of practice for the level of certification

1. May assist higher level practitioner only when in the physical
2. Additional training and approval by service medical director required
3. The skill may be performed by BLS personnel in accordance with Statewide BLS protocols or medical command order
4. The skill is not approved for the level of certification regardless if taught in a course approved for that level of certification
5. The acronym is explained following the table.
6. Skill may only be used when functioning with a licensed ambulance service or QRS that complies with Department requirement for performing this skill.
7. May only be done as a physician extender under the Medical Practice Act.
8. FDA Approved Hemostatic Agents enclosed in self contained package during treatment

AA—Ambulance Attendant
FR—First Responder

EMT—Emergency Medical Technician presence and under the direct supervision of the ALS practitioner

EMT-P—Emergency Medical Technician—Paramedic

TOPIC	SKILL	AA	FR	EMT	EMT-P
Airway/ventilation/ oxygenation	Airway—Nonsurgical Alternative/Rescue Airway—CombiTube™, King LT-D Airway™ or King LTS-D Airway	No	No	No	Yes
Airway/ventilation/ oxygenation	Airway—oral & nasal	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Airway—pharyngeal tracheal lumen (PTL)	No	No	No	No ⁴
Airway/ventilation/ oxygenation	Bag-valve-ETT/Non surgical alternative airway ventilation	No	Yes ¹	Yes ¹	Yes
Airway/ventilation/ oxygenation	Bag-valve-mask—with in-line small-volume nebulizer	No	Yes ¹	Yes ¹	Yes
Airway/ventilation/ oxygenation	Bag-valve-mask (BVM) ventilation	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Chest decompression—needle	No	No	No	Yes
Airway/ventilation/ oxygenation	CPAP/BiPAP ⁵ —demonstrate application of	No	No	Yes ^{2,3,6}	Yes
Airway/ventilation/ oxygenation	Cricoid pressure (Sellick maneuver)	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Cricothyrotomy—needle	No	No	No	Yes

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TOPIC	SKILL	AA	FR	EMT	EMT-P
Airway/ventilation/ oxygenation	Cricothyrotomy—open/surgical	No	No	No	Yes
Airway/ventilation/ oxygenation	Cricothyrotomy—overwire (Seldinger) technique	No	No	No	Yes
Airway/ventilation/ oxygenation	End tidal CO2 monitoring/capnography	No	Yes ¹	Yes ¹	Yes
Airway/ventilation/ oxygenation	Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)	No	No	No	No ⁴
Airway/ventilation/ oxygenation	Extubation	No	No	No	Yes
Airway/ventilation/ oxygenation	Flow restricted oxygen powered ventilation device (demand valve)	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Gastric decompression—OG ⁵ & NG ⁵ tube (suction)	No	No	No	Yes
Airway/ventilation/ oxygenation	Gastric tube insertion—nasal & oral	No	No	No	Yes
Airway/ventilation/ oxygenation	Head-tilt/chin-lift	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Inspiratory Impedance Threshold Device (ITD)	No	No	No	Yes ²
Airway/ventilation/ oxygenation	Intubation—digital & lighted stylet	No	No	No	Yes
Airway/ventilation/ oxygenation	Intubation—endotracheal tube	No	No	No	Yes
Airway/ventilation/ oxygenation	Intubation—medication paralytics assisted (RSI ⁵)	No	No	No	No ⁴
Airway/ventilation/ oxygenation	Intubation—nasotracheal & orotracheal	No	No	No ⁴	Yes
Airway/ventilation/ oxygenation	Intubation—retrograde	No	No	No	No ⁴
Airway/ventilation/ oxygenation	Intubation—transillumination/lighted stylet	No	No	No	Yes
Airway/ventilation/ oxygenation	Jaw thrust & modified jaw thrust (trauma)	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Laryngeal mask airway (LMA)	No	No	No	No ⁴
Airway/ventilation/ oxygenation	Mouth-to-mouth, nose, stoma, barrier & pocket mask	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Obstruction—direct laryngoscopy (remove with forceps)	No	No	No	Yes
Airway/ventilation/ oxygenation	Obstruction—manual (Heimlich, finger sweep, chest thrusts) upper airway	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—blow-by delivery	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—humidifiers	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—nasal cannula	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—non-rebreather mask	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—partial rebreather	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—regulators	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—simple face mask	Yes	Yes	Yes	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
Airway/ventilation/ oxygenation	Oxygen therapy—Venturi mask	No	No	No	Yes
Airway/ventilation/ oxygenation	Peak expiratory flow assessment	No	No	No	Yes
Airway/ventilation/ oxygenation	Pulse oximetry	Yes ¹	Yes ²	Yes ²	Yes
Airway/ventilation/ oxygenation	Suctioning—meconium aspiration	No	No	No	Yes
Airway/ventilation/ oxygenation	Suctioning—stoma/tracheostomy	No	No	Yes	Yes
Airway/ventilation/ oxygenation	Suctioning—tracheobronchial	No	No	No	Yes
Airway/ventilation/ oxygenation	Suctioning—upper airway (nasal)	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Suctioning—upper airway (oral)	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Transtracheal jet ventilation	No	No	No	Yes
Airway/ventilation/ oxygenation	Ventilators—automated transport (ATV)	Yes ¹	Yes ²	Yes ²	Yes
Airway/ventilation/ oxygenation	Ventilators—transport	No	No	No	Yes
Assessment of	Glasgow Coma Scale (GCS)	Yes	Yes	Yes	Yes
Assessment of	Level of consciousness (LOC)	Yes	Yes	Yes	Yes
Assessment of	Patient assessment skills identified in the NSC ⁵	Yes	Yes	Yes	Yes
Assessment of	Vital sign—body temperature	Yes	Yes	Yes	Yes
Assessment of	Vital sign—pulse	Yes	Yes	Yes	Yes
Assessment of	Vital sign—pupils	Yes	Yes	Yes	Yes
Assessment of	Vital sign—respirations	Yes	Yes	Yes	Yes
Assessment of	Vital sign—skin color/temperature & condition (CTC)	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Blood pressure—auscultation	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Blood pressure—electronic non-invasive	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Blood pressure—palpation	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Cardiac monitoring—apply electrodes	No	Yes ¹	Yes ¹	Yes
Cardiovascular/ circulation	Cardiac monitoring—multi lead	No	No	No	Yes
Cardiovascular/ circulation	Cardiac monitoring—single lead (interpretive)	No	No	No	Yes
Cardiovascular/ circulation	Cardiopulmonary resuscitation (CPR) adult, infant, child, one & two person	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Cardioversion—synchronized	No	No	No	Yes
Cardiovascular/ circulation	Carotid massage (vagal maneuvers)	No	No	No	Yes
Cardiovascular/ circulation	Defibrillation—Counter shock—manual	No	No	No	Yes
Cardiovascular/ circulation	Defibrillation—automated external defibrillator (AED)	Yes ²	Yes ²	Yes ²	Yes
Cardiovascular/ circulation	Hemodynamic monitoring/assist (Swan Ganz, arterial, central venous lines)	No	No	No	No ⁴

TOPIC	SKILL	AA	FR	EMT	EMT-P
Cardiovascular/ circulation	Intra-aortic balloon pump monitoring/assist	No	No	No	No ⁴
Cardiovascular/ circulation	Mechanical CPR device	No	No	No	Yes
Cardiovascular/ circulation	Thrombolytic therapy—initiation	No	No	No	No ⁴
Cardiovascular/ circulation	Thrombolytic therapy—monitoring	No	No	No	No ⁴
Cardiovascular/ circulation	Transcutaneous pacing	No	No	No	Yes
Cardiovascular/ circulation	Use a (cardiac) magnet to alter the mode of an AICD ⁵ or pacemaker	No	No	No	Yes
Communications	Verbal patient report to receiving personnel	Yes	Yes	Yes	Yes
Communications	Communications with PSAPs ⁵ , hospitals, medical command facilities	Yes	Yes	Yes	Yes
Documentation	Out-of-Hospital Do Not Resuscitate (DNR) orders (Act #59)	Yes	Yes	Yes	Yes
Documentation	Patient Care Report completion	Yes	Yes	Yes	Yes
Hazardous materials	Contaminated equipment disposal (sharps & PPE ⁵)	Yes	Yes	Yes	Yes
Hazardous materials	Decontamination	Yes	Yes	Yes	Yes
Hazardous materials	Disinfection	Yes	Yes	Yes	Yes
Hazardous materials	PPE ⁵ (personal protection equipment) use	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—helmet stabilization or removal	No	No	Yes	Yes
Immobilization	Spinal immobilization—long board w/pt supine & standing	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—manual stabilization & cervical collar	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—rapid extrication	No	No	Yes	Yes
Immobilization	Spinal immobilization—seated patient (KED ⁵ , etc.)	No	No	Yes	Yes
Immobilization	Splinting—manual, ridged, soft, vacuum	Yes	Yes	Yes	Yes
Immobilization	Splinting—traction	Yes	Yes	Yes	Yes
IV Initiation/ maintenance/fluids	Central venous cannulation (femoral vein only)	No	No	No	Yes
IV Initiation/ maintenance/fluids	Central venous line—access of existing catheters	No	No	No	Yes
IV Initiation/ maintenance/fluids	Clean technique	No	No	No	Yes
IV Initiation/ maintenance/fluids	External jugular vein cannulation	No	No	No	Yes
IV Initiation/ maintenance/fluids	Heparin/saline lock insertions as no-flow IV	No	No	No	Yes
IV Initiation/ maintenance/fluids	Indwelling intravenous catheters as described 28 Pa. Code § 1003.23(e)(2)	No	No	Yes	Yes
IV Initiation/ maintenance/fluids	Intraosseous—needle placement & infusion—tibia, femur and humerus	No	No	No	Yes
IV Initiation/ maintenance/fluids	Peripheral venous—initiation (cannulation)	No	No	No	Yes
IV Initiation/ maintenance/fluids	Sub-cutaneous indwelling catheters—access of existing catheters	No	No	No	Yes
IV Initiation/ maintenance/fluids	Vascular access devices in home healthcare—access of existing catheters	No	No	No	Yes
IV Initiation/ maintenance/fluids	Venous (blood sampling)—obtaining	No	No	No	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
IV Initiation/ maintenance/fluids	Venous central line (blood sampling)—obtaining	No	No	No	No ⁴
IV Initiation/ maintenance/fluids	Arterial line—capped—transport	No	No	Yes	Yes
IV Initiation/ maintenance/fluids	Arterial line—monitoring/assist	No	No	No	No ⁴
IV Initiation/ maintenance/fluids	Blood/Blood—by-products	No	No	No	No ⁴
Lifting & moving	Patient lifting, moving & transfers per NSC ⁵	Yes	Yes	Yes	Yes
Lifting & moving	Patient restraints on transport devices	Yes	Yes	Yes	Yes
Medication administration routes	Endotracheal tube (ET)	No	No	No	Yes
Medication administration routes	Inhalation (aerosolized/nebulized)	No	No	No	Yes
Medication administration routes	Intramuscular (IM)	No	No	No	Yes
Medication administration routes	Intranasal	No	No	No	Yes
Medication administration routes	Intraosseous—tibia, humerus or femur	No	No	No	Yes
Medication administration routes	Intravenous (IV)—bolus	No	No	No	Yes
Medication administration routes	Intravenous (IV) infusion, including by intravenous pump	No	No	No	Yes
Medication administration routes	Nasogastric	No	No	No	Yes
Medication administration routes	Oral	No	No	No	Yes
Medication administration routes	Rectal	No	No	No	Yes
Medication administration routes	Subcutaneous	No	No	No	Yes
Medication administration routes	Sub-lingual	No	No	No	Yes
Medication administration routes	Topical	No	No	No	Yes
Medication administration routes	Auto-injectors	No	No	Yes ³	Yes
Medications	Activated charcoal	No	No	Yes ³	Yes
Medications	As published in the <i>Pennsylvania Bulletin</i> by the Department	No	No	No	Yes
Medications	Immunizations	No	No	No	Yes ⁷
Medications	Oral glucose	No	No	Yes ³	Yes
Medications	Over-the-counter medications (OTC)	No	No	No	No ⁴
Medications	Oxygen	Yes	Yes	Yes	Yes
Medications	Auto-injected epinephrine-primary use-not patient's own prescription	No	No	Yes ^{2,3,6}	Yes
Medications—Patient Assisted	Auto-injected epinephrine	No	No	Yes ³	Yes
Medications—Patient Assisted	Metered dose inhaler (MDI)—bronchodilator	No	No	Yes ³	Yes
Medications—Patient Assisted	Nitroglycerin	No	No	Yes ³	Yes
Patient assessment/ management	Behavioral—Restrain violent patient	No	No	Yes	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
Patient assessment/management	Blood glucose assessment	No	No	No	Yes
Patient assessment/management	Burns—chemical, electrical, inhalation, radiation, thermal	Yes	Yes	Yes	Yes
Patient assessment/management	Childbirth—umbilical cord cutting	No	Yes	Yes	Yes
Patient assessment/management	Childbirth (abnormal/complications)	No	No	Yes	Yes
Patient assessment/management	Childbirth (normal)—cephalic delivery	Yes	Yes	Yes	Yes
Patient assessment/management	Carbon Monoxide CO—oximetry monitoring	Yes ¹	Yes ²	Yes ²	Yes ²
Patient assessment/management	Dislocation reduction (shoulder)	No	No	No	No ⁴
Patient assessment/management	Eye irrigation/care	Yes	Yes	Yes	Yes
Patient assessment/management	Hemorrhage control—diffuse, direct, pressure point, tourniquet, bandaging, hemostatic agents ⁸	Yes	Yes	Yes	Yes
Patient assessment/management	Intracranial monitoring/assist	No	No	No	No ⁴
Patient assessment/management	As outlined in DOH approved regional & statewide tx ⁵ & transport protocols	Yes	Yes	Yes	Yes
Patient assessment/management	Multiple Casualty Incident (MCI)/Incident Command System (ICS)	No	Yes	Yes	Yes
Patient assessment/management	Triage (prioritizing patients)—use of tags	Yes	Yes	Yes	Yes
Patient assessment/management	Urinary catheterization	No	No	No	Yes
Rescue	Vehicle access & extrication	Yes	Yes	Yes	Yes

Acronym	Explanation
AICD	Automatic Implantable Cardioverter Defibrillators
CPAP/BiPAP	Continuous positive airway pressure/biphasic positive airway pressure
KED	Kendrick Extrication Device
NSC	U.S. Department of Transportation National Standard Curriculum
OG & NG	Oral gastric & nasal gastric tube
PPE	Personal protective equipment
PSAP	Public safety answering point
RSI	Rapid sequence induction
TX	Treatment

[Pa.B. Doc. No. 11-628. Filed for public inspection April 8, 2011, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Bucks County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following finding:

The Department of Transportation (Department) is planning a project to replace the bridge that carries Lower State Road (SR 2089) over the Neshaminy Creek

in Doylestown Township, Bucks County. The project involves the placement of a utility pole within the Department right-of-way, but the guy wire supporting the pole extends into the boundary of the National Register-eligible McHenry Farmstead. The placement of the guy wire will result in minimal disturbance to the resource. No effect will occur to the McHenry Farmstead.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, a Level-1b Categorical Exclusion Evaluation (CEE) has been developed for the subject project along with a Determination of Section 4(f) De Minimis Use/Section 2002 No Adverse Use document to evaluate the potential environmental impacts caused by the subject project. The document also

serves as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Level-1b CEE Evaluation and the Determination of Section 4(f) De Minimis Use/Section 2002 No Adverse Use document.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P.E.,
Director
Bureau of Project Delivery

[Pa.B. Doc. No. 11-629. Filed for public inspection April 8, 2011, 9:00 a.m.]

Finding Franklin County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following written finding:

The Norfolk Southern Railroad (NSR) with State transportation funding assistance proposes to construct and operate a new intermodal facility in order to improve freight transportation capacity in its south central service region. The proposed project consists of the construction of the new intermodal facility and several associated road improvements. The proposed site is located on an approximate 150-acre site immediately adjacent and parallel to the existing NSR Harrisburg—Hagerstown mainline at milepost HW-66 in Antrim Township, Franklin County.

The project will require the acquisition of right-of-way from two farms which are eligible for listing in the National Register of Historic Places; the Dr. Robert Johnston Farm and the Samuel Shindle Farm. The 2-acre take from the Johnston Farm and the approximate 5.5-acre take from the Shindle Farm will constitute Section 2002 resource use.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department of Transportation, a Level-2 Environmental Document has been developed for the subject project to evaluate the potential environmental impacts caused by the subject project along with two Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties documents. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System. The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Level-2 ED.

BRIAN G. THOMPSON, P.E.,
Director
Bureau of Project Delivery

[Pa.B. Doc. No. 11-630. Filed for public inspection April 8, 2011, 9:00 a.m.]

Finding Montgomery County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of Project Delivery, as delegated by the Secretary of Transportation, makes the following written finding:

The Department of Transportation (Department) is planning a project to rehabilitate the two-span stone arch carrying SR 0152 over Neshaminy Creek. The Section 4(f) resource involved with the project is the bridge to be rehabilitated. The bridge is a narrow two-lane, two-span masonry arch with a length of 42 feet. The bridge was listed on the National Register of Historic Places in June 1988. The proposed project results in a No Adverse Effect finding.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, a Level-1b Categorical Exclusion Evaluation has been developed for the subject project along with a Determination of Section 4(f) De Minimis Use/Section 2002 No Adverse Use document to evaluate the potential environmental impacts caused by the subject project. The document also serves as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Level-1b CE Reevaluation and the Determination of Section 4(f) De Minimis Use/Section 2002 No Adverse Use document.

The environmental, economic, social and other effects of the proposed project, as enumerated in section 2002 of The Administrative Code of 1929, have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P.E.,
Director
Bureau of Project Delivery

[Pa.B. Doc. No. 11-631. Filed for public inspection April 8, 2011, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The April 19, 2011, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board is scheduled for Wednesday, May 18, 2011, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the May 18, 2011, meeting will be available on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (Select "Public Participation" then "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or mtate@state.pa.us.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 11-632. Filed for public inspection April 8, 2011, 9:00 a.m.]

GOVERNOR'S MARCELLUS SHALE ADVISORY COMMISSION

Meeting Dates

This notice announces meeting dates for the Governor's Marcellus Shale Advisory Commission (Commission).

This Commission, composed of State government leaders, industry and environmental experts, has been established by Governor Tom Corbett to insure the successful development of the natural gas industry and advise the Governor on pertinent issues, including possible legislative and regulatory changes.

The agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us>.

The meetings will be held at 9:30 a.m. on the following dates in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA:

Wednesday, April 27, 2011
Friday, May 20, 2011
Friday, June 17, 2011
Friday, July 15, 2011

Seating in the conference room is limited. Individuals planning on attending are requested to contact Christo-

pher Gray at (717) 783-8727 or chrgray@state.pa.us so that the Department can anticipate the level of public attendance. The Department is unable to reserve seating for guests. In addition, public comment can be directed to the Marcellus Shale Advisory Commission, Office of the Governor, 225 Main Capitol Building, Harrisburg, PA 17120, marcelluscommission@state.pa.us.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Christopher Gray at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JIM CAWLEY,
Lieutenant Governor

[Pa.B. Doc. No. 11-633. Filed for public inspection April 8, 2011, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting

The Health Care Cost Containment Council (Council) has scheduled an Audit Committee teleconference for Thursday, April 14, 2011, at 1:30 p.m.

The teleconference will be accessible from the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodations due to a disability who wish to attend the meeting should contact Renee Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 11-634. Filed for public inspection April 8, 2011, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 645.5b).

The Commission has issued comments on the following proposed regulation. The agencies must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
125-138	Pennsylvania Gaming Control Board Table Game Devices 41 Pa.B. 605 (January 29, 2011)	2/28/11	3/30/11

—
Pennsylvania Gaming Control Board
Regulation #125-138 (IRRC #2886)

Table Game Devices

March 30, 2011

We submit for your consideration the following comments on the proposed rulemaking published in the January 29, 2011 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

1. Section 605a.2. Electronic wagering systems.—Implementation procedures; Clarity and lack of ambiguity.

Subsection (c)

This subsection states that all aspects of an electronic wagering system must be tested “and approved by the Bureau of Gaming Laboratory Operations prior to use at any licensed facility in this Commonwealth.” We are concerned that procedures for obtaining Bureau approval are not included in the proposed regulation. We suggest that the final-form regulation include the procedures or an appropriate cross-reference to where the procedures can be found. We have similar concerns with the following sections: §§ 605a.2(e); 605a.4(b); 605a.7(b); 605a.7(c); and 605.7(d)(3).

Subsection (d)

We have four concerns with this subsection. First, Subsection (d)(3)(ii) references “rake procedures established for the game.” Who establishes the “rake procedures” and where can they be found? This should be included in the final-form regulation.

Second, Subsection (d)(6) references “Poker revenue.” Is “Poker revenue” different than any other table game revenue? We believe that clarity could be improved if the term “Poker revenue” was defined.

Third, Subsection (d)(7) requires electronic wagering systems to generate reports that include 12 specific pieces of information. What happens to these reports? Are the reports supposed to be submitted to the Board? This should be clarified in the final-form regulation.

Fourth, Subsections (d)(7)(vii) and (viii) use the term “Poker rake time charges.” What does this term mean? We recommend that it be defined in the final regulation.

2. Section 605a.4. Electronic gaming tables.—Reasonableness; Clarity and lack of ambiguity.

Subsection (g) states that electronic gaming tables that are not fully automated must be equipped with seven specific meters and “Other meters required by technical standards adopted by the Board.” See § 605a.4(g)(8), pertaining to additional meters. We are concerned that Paragraph (g)(8) does not provide the regulated community with a clear standard that would allow them to comply with the regulation. We recommend that the final-form regulation include the information contained in the technical standard. In the alternative, we ask the Board to include a specific cross-reference to the technical standard that would need to be followed.

We have a similar concern with Section 605a.5(d)(12), relating to additional meters for fully automated table games.

3. Chapter 613a. Gaming Related Gaming Service Providers.—Clarity and lack of ambiguity.

Section 1103 of the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S. § 1103) defines the term “gaming service provider” as follows:

A person that is not required to be licensed as a manufacturer, supplier, management company or gaming junket enterprise and:

- (1) provides goods or services to a slot machine licensee or an applicant for a slot machine license for use in the operation of a licensed facility; or
- (2) provides goods or services at a licensed facility.

We ask the Board to explain why it has created the term “gaming related gaming service provider” instead of using the statutory term “gaming service provider.” We believe clarity would be improved if the statutory term was used in the regulation.

If the Board believes that the use of the term “gaming related gaming service provider” is warranted, we ask the Board to define this term.

4. Section 613a.2. Gaming related gaming service provider certification applications.—Reasonableness; Implementation procedures; Clarity and lack of ambiguity.

Subsection (a) pertains to the application process that must be followed to obtain a gaming related gaming service provider certificate. We have two concerns. First, why must the table game certificate holder submit the documentation and fee for the gaming related gaming service provider that is seeking certification?

Second, Paragraph (a)(1) includes the phrase, “unless otherwise directed by the Board.” This phrase is vague and does not establish a binding norm. Under what circumstances would there be a deviation from the application process? We recommend that it be deleted from the final-form regulation.

5. Section 613a.6. Gaming related gaming service provider list.—Reasonableness; Clarity and lack of ambiguity.

This subsection states that the Board will maintain a list of certified and approved gaming related gaming service providers, but it does not state where the list can be found. We suggest amending the final-form regulation to state that the list will be available on the Board’s website.

6. Section 613a.7. Requirements for use of a gaming related gaming service provider.—Implementation procedures; Clarity and lack of ambiguity.

We have four concerns with this section. First, under Paragraph (1), what is a “gaming related service”? We recommend that the term be defined.

Second, under that same paragraph, the gaming related gaming service provider is required to submit its gaming related service to the Bureau of Gaming Laboratory Operations (Bureau). Will the Bureau review and approve the gaming related service? If so, similar to our first comment on Section 605a.2, we suggest that the procedures surrounding Bureau approval, or a cross-reference to the procedures, be included in the final-form regulation.

Third, Paragraph (3) includes a reference to Section 601a.4, relating to request to offer a new table game or new feature for an existing table game. This is a reference to a regulation that has not been published as a

final rule. It is our understanding that the reference is to another Board table game regulation that will be published as a final rule in the near future. We are concerned that this rulemaking may be finalized before the other regulation is finalized. If this occurs, it could lead to a confusing regulatory environment for those that must comply with the rulemaking. In the Preamble to the final-form version of this rulemaking, we ask the Board to explain its plan for promulgating these regulations in a manner that ensures all references are valid.

Fourth, Paragraph (4) references a certification fee that must be paid by the gaming related gaming service provider. Where can a gaming related gaming service provider find out what the fee is? Will the fee be posted to the Board's website? If so, we recommend that the final-form regulation be amended in a manner similar to the language found in Paragraph 613a.2(a)(2).

7. Section 613a.8. Permission to conduct business prior to certification.—Whether the regulation is consistent with the intent of the General Assembly.

This section allows the Board's Bureau of Licensing to authorize an applicant for gaming related gaming service provider certification to conduct business with a table game certificate holder if certain criteria are met. In the Preamble to the final-form regulation, we ask the Board to explain how this practice adequately protects the integrity of gaming in this Commonwealth.

In addition, if the Office of Enforcement Counsel denies an application for gaming related gaming service provider certification and that entity has provided a gaming related service to a table game certificate holder, can that gaming related service still be used by the table game certificate holder? If so, will the integrity of gaming in the Commonwealth be adequately protected?

We have similar concerns with § 615a.1, pertaining to table game devices and conditional licenses.

8. Section 615a.1. Table game devices; conditional licenses.—Clarity and lack of ambiguity.

In addition to the concern raised in the previous comment on Section 613a.8, we have two concerns. First, this section uses the term "table game devices." What is a "table game device"? We recommend that the term be defined.

Second, Paragraph (b)(5) requires the submittal of "full payment." Does this subsection pertain to the full payment of a particular fee? We ask the Board to clarify what must be paid, and if appropriate, include a reference to where the fee can be found.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 11-635. Filed for public inspection April 8, 2011, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for Approval to Redomesticate from Mid-Continent Insurance Company

Mid-Continent Insurance Company, a domestic stock property insurance company, has filed an application for approval of a plan of redomestication whereby the state of domicile would change from Pennsylvania to Michigan.

The initial filing was made under the requirements set forth under 15 Pa.C.S. §§ 4161 and 4162 (relating to domestication; and effect of domestication).

Persons wishing to comment on the grounds of public or private interest to the issuance of the Insurance Department's (Department) order approving the redomestication are invited to submit a written statement to the Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-636. Filed for public inspection April 8, 2011, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium 18% on 4,219 policyholders with the following individual policy forms: the 7000 Series and 7020 Series.

Unless formal administrative action is taken prior to June 23, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-637. Filed for public inspection April 8, 2011, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium 18% on 7,523 policyholders with the following individual policy forms: the 7030 Series and 7032 Series.

Unless formal administrative action is taken prior to June 23, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-638. Filed for public inspection April 8, 2011, 9:00 a.m.]

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, (717) 705-4194.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-639. Filed for public inspection April 8, 2011, 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 policies. The hearings 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 hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Fairmount Hearing Room, 801 Market Street, Philadelphia, PA 19107.

Appeal of Kimberly Powers; file no. 10-215-95919; Progressive Direct Insurance Company; Doc. No. PH10-12-022; May 20, 2011, 11 a.m.

Appeal of John and Patricia Thoma; file no. 10-214-97519; Travelers Home and Marine Insurance Company; Doc. No. PH11-02-005; May 20, 2011, 9 a.m.

Appeal of Alfred Zhibaj; file no. 11-216-98783; State Farm Mutual Automobile Insurance Company; Doc. No. PH11-02-016; May 20, 2011, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The administrative hearings will be held in the Insurance Department's regional offices in Philadelphia and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Fairmount Hearing Room, 801 Market Street, Philadelphia, PA 19107.

Appeal of Mary Dicks; file no. 11-215-99511; Nationwide Property & Casualty Insurance Company; Doc. No. PH11-03-014; May 19, 2011, 1 p.m.

Appeal of Sudie McIntosh; file no. 10-215-95033; The Philadelphia Contributionship Insurance Company; Doc. No. PH10-12-023; May 20, 2011, 10 a.m.

Appeal of Judith Peterson; file no. 11-215-99272; State Farm Fire & Casualty Insurance Company; Doc. No. PH11-03-015; May 20, 2011, 2:30 p.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Frederick C. Harris; file no. 11-181-98316; United States Automobile Association; Doc. No. P11-03-024; April 27, 2011, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-640. Filed for public inspection April 8, 2011, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insureds' homeowners policy. The hearing 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 hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Fairmount Hearing Room, 801 Market Street, Philadelphia, PA 19107.

Appeal of Ohio Casualty Insurance; file no. 10-215-97665; Herb and Anne Beck; Doc. No. PH11-03-023; May 19, 2011, 2:30 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 11-641. Filed for public inspection April 18, 2011, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 25, 2011. 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-2010-2191426. VVG Consulting, Inc., t/a V Transport (11990 Dumont Road, Philadelphia, PA 19116)—a corporation of the Commonwealth of Pennsylvania—in paratransit service, from points in the Counties of Berks, Bucks, Chester, Lancaster, Lehigh and Montgomery, as well as the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David Temple, 1760 Market Street, Philadelphia, PA 19103. (Previously published at 41 Pa.B. 1603 (March 19, 2011) under A-2011-2191426)

A-2011-2233185. On Time Taxi Service, LLC (1215 Yankee Bush Road, Warren, Warren County, PA 16365), a limited liability company of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service in the City of Warren, Warren County, and within an airline distance of 50 statute miles of the city limits of Warren.

A-2011-2233404. East Pennsboro Ambulance Service, Inc. (P. O. Box 47, Enola, PA 17025) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Cumberland, Dauphin and Perry, to points in Pennsylvania and return.

A-2011-2233406. Ride and Rebuild, LLC (927 Edgemore Road, Philadelphia, Philadelphia County, PA 19151), a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service from points in the City and County of Philadelphia to juvenile facilities and the following State Correctional Institutions located in Pennsylvania: Camp Hill, Cresson, Dallas, Fayette, Forest, Frackville, Graterford, Houtzdale, Huntingdon, Mercer, Retreat, Rockview, Smithfield and Somerset, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

A-2011-2233398. Superior Limousine & Luxury Coaches, Inc. (431 North Courtland Street, East

Stroudsburg, PA 18301) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-2009-2145184 to Pocono Cab Company, LLC, subject to the same limitations and conditions. *Attorney:* Craig A. Doll, Esquire, 25 West Second Street, Hummelstown, PA 17036.

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-2011-2233331. Star Express Transport, LLC, t/a Star Express (P. O. Box 61196, Harrisburg, Dauphin County, PA 17106)—a limited liability company of the Commonwealth of Pennsylvania, persons, in limousine service, from points in the Counties of Dauphin and Cumberland, to points in Pennsylvania and return.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of household goods by transfer of rights as described under the application.

A-2011-2233456. Jack Treir, Inc., t/a Tri-State Moving Systems (140 Marble Drive, Lancaster, Lancaster County, PA 17601), a corporation of the Commonwealth of Pennsylvania—household goods in use, from points in the County of Lancaster to points in Pennsylvania, and vice versa: *So As To Permit* the transportation of household goods in use: 1) from points in the County of York to points in Pennsylvania, and vice versa and; 2) between points in the Counties of Adams, Cumberland, Dauphin and Lebanon; which is to be a transfer of all of the rights authorized under the certificate issued at A-00102480, F. 1, AM-A, AM-C, AND AM-E to Shelly Moving & Storage, Inc., subject to the same limitations and conditions. *Attorney:* Craig A. Doll, 25 West Second Street, P. O. Box 403, Hummelstown, PA 17036-0403.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-642. Filed for public inspection April 8, 2011, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

July 20, 2011	Patricia A. Mussari (Multiple Service)	1:00 p.m.
July 27, 2011	Clair J. Manning (D) (Death Benefit)	1:00 p.m.

Persons with a disability, who wish to attend the previously-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Flurie, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 11-643. Filed for public inspection April 8, 2011, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) held a public hearing as part of its regular business meeting on March 10, 2011, in Huntingdon, PA. At the public hearing, the Commission: 1) approved, tabled and terminated application review of certain water resources projects; 2) rescinded approval for ten water resources projects; and 3) declined a request for it to reopen Docket No. 20091201 issued to Chesapeake Appalachia, LLC.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net. Regular mail inquiries may be sent to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

Supplementary Information

In addition to the public hearing and its related action items identified as follows, the following items were also presented or acted on at the business meeting: 1) presentation on the Morrison Cove Water Resources Study; 2) hydrologic conditions in the basin; 3) administrative approval of flowback reuse involving diversions policy; 4) approval/ratification of contracts; 5) a demonstration of the Commission's web-based Water Resources Portal; 6) an explanation of the contents and conditions of a typical Commission docket approval; 7) an administrative fee authorization for group transfers of approvals; 8) adoption of a Migratory Fish Management and Restoration Plan for the Susquehanna River Basin; 9) authorization to initiate the National Environmental Policy Act (NEPA) phase of the Cowanesque and Curwensville Lakes Low Flow Operations Change; and 10) revision of the Fiscal Year 2012 budget along with expansion of the Compliance Reserve Fund and creation of a Capital Reserve Fund. The Commission heard counsel's report on legal matters affecting the Commission. The Commission also convened a public hearing and took the following actions:

Public Hearing—Rescissions of Project Approval

1. Project Sponsor and Facility: Chief Oil & Gas, LLC (Sugar Creek) (Docket No. 20090314), West Burlington Township, Bradford County, PA.
2. Project Sponsor and Facility: Range Resources—Appalachia, LLC (Lycoming Creek-1) (Docket No. 20080933), Hepburn Township, Lycoming County, PA.
3. Project Sponsor and Facility: Range Resources—Appalachia, LLC (West Branch Susquehanna River) (Docket No. 20080940), Colebrook Township, Clinton County, PA.
4. Project Sponsor and Facility: Southwestern Energy Company (Cold Creek) (Docket No. 20090909), Herrick Township, Bradford County, PA.
5. Project Sponsor and Facility: Southwestern Energy Company (Mill Creek) (Docket No. 20090910), Stevens Township, Bradford County, PA.
6. Project Sponsor and Facility: Southwestern Energy Company (Ross Creek) (Docket No. 20090911), Stevens Township, Bradford County, PA.
7. Project Sponsor and Facility: Southwestern Energy Company (Tunkhannock Creek) (Docket No. 20090913), Gibson Township, Susquehanna County, PA.
8. Project Sponsor and Facility: Southwestern Energy Company (Wyalusing Creek) (Docket No. 20090915), Wyalusing Township, Bradford County, PA.
9. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek) (Docket No. 20091208), Lewis Township, Lycoming County, PA.
10. Project Sponsor and Facility: SVC Manufacturing, Inc. (Docket No. 19920907), Fairview Township, Luzerne County, PA.

Public Hearing—Projects Approved

1. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River), Colebrook Township, Clinton County, PA. Surface water withdrawal of up to 1.500 mgd.
2. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River-3), Nippenose Township, Lycoming County, PA. Modification to increase maximum instantaneous pumping rate within approved daily rate.
3. Project Sponsor and Facility: Cedar Rock Materials Corp., Salem Township, Luzerne County, PA. Groundwater withdrawal of up to 0.720 mgd and consumptive water use of up to 0.700 mgd from Well PW-1.
4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Braintrim Township, Wyoming County, PA. Surface water withdrawal of up to 3.000 mgd.
5. Project Sponsor and Facility: Chief Oil & Gas, LLC (Martins Creek), Hop Bottom Borough, Susquehanna County, PA. Surface water withdrawal of up to 0.360 mgd.
6. Project Sponsor: Dean Dairy Holdings, LLC. Project Facility: Swiss Premium Dairy, Inc., North Cornwall Township, Lebanon County, PA. Modification to increase consumptive water use of up to 0.200 mgd.
7. Project Sponsor and Facility: East Donegal Township Municipal Authority, East Donegal Township, Lancaster County, PA. Groundwater withdrawal of up to 0.260 mgd from Well 1.

8. Project Sponsor: Hazleton Creek Properties, LLC. Project Facility: Hazleton Mine Reclamation, Hazleton City, Luzerne County, PA. Groundwater withdrawal of up to 0.055 mgd from Well MP-1 and consumptive water use of up to 0.055 mgd.

9. Project Sponsor and Facility: J-W Operating Company (Plum Grove Cameron 5 Strip Mine Pond), Shippen Township, Cameron County, PA. Surface water withdrawal of up to 0.090 mgd.

10. Project Sponsor and Facility: Novus Operating, LLC (Tioga River), Covington Township, Tioga County, PA. Surface water withdrawal of up to 1.750 mgd.

11. Project Sponsor and Facility: Peoples Financial Services Corp. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Surface water withdrawal of up to 0.999 mgd.

12. Project Sponsor and Facility: Range Resources—Appalachia, LLC (West Branch Susquehanna River), Piatt Township, Lycoming County, PA. Surface water withdrawal of up to 3.000 mgd.

13. Project Sponsor and Facility: Southwestern Energy Company (Martins Creek), Brooklyn and Harford Townships, Susquehanna County, PA. Surface water withdrawal of up to 0.997 mgd.

14. Project Sponsor and Facility: Southwestern Energy Company (Tuscarora Creek), Tuscarora Township, Bradford County, PA. Surface water withdrawal of up to 0.500 mgd.

15. Project Sponsor: Texas Eastern Transmission, LP (Susquehanna River), East Donegal Township, Lancaster County, PA. Surface water withdrawal of up to 2.304 mgd.

16. Project Sponsor and Facility: Victory Energy Corporation (Pine Creek), Pike Township, Potter County, PA. Surface water withdrawal of up to 0.460 mgd.

Public Hearing—Projects Approved Involving a Diversion

1. Project Sponsor: Pennsylvania General Energy Company, LLC Project Facility: Scaffold Lick Pond—1, Liberty Township, McKean County, PA. Into-basin diversion of up to 0.500 mgd from the Ohio River Basin.

2. Project Sponsor: Pennsylvania General Energy Company, LLC Project Facility: Scaffold Lick Pond—2, Liberty Township, McKean County, PA. Into-basin diversion of up to 0.500 mgd from the Ohio River Basin.

3. Project Sponsor: Ultra Resources, Inc. Project Facility: Wayne Gravel Products Quarry, Ceres Township, McKean County, PA. Into-basin diversion of up to 1.170 mgd from the Ohio River Basin.

Public Hearing—Project Tabled

1. Project Sponsor and Facility: Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, PA. Application for groundwater withdrawal of up to 1.210 mgd from Well 1.

Public Hearing—Review of Project Application Terminated

1. Project Sponsor and Facility: Airy View Heights, Inc., Centre Township, Perry County, PA. Application for groundwater withdrawal of up to 0.465 mgd from Well PW-5.

Public Hearing—Project Withdrawn

1. Project Sponsor and Facility: ALTA Operating Company, LLC (DuBois Creek), Great Bend Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.249 mgd.

*Public Hearing—Request of Marvin Fetterman to Reopen
Docket No. 20091201*

The Commission declined a request of Marvin Fetterman for it to reopen Docket No. 20091201 issued to Chesapeake Appalachia, LLC.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: March 23, 2011.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 11-644. Filed for public inspection April 8, 2011, 9:00 a.m.]
