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# PENNSYLVANIA BULLETIN

Volume 43

Number 17

Saturday, April 27, 2013 • Harrisburg, PA

Pages 2257—2414

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

**No. 461, April 2013**

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## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

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

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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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 2013.

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# THE GOVERNOR

## GOVERNOR'S OFFICE

[ EXECUTIVE ORDER NO. 2013-01 AS AMENDED ]

### The Pennsylvania Alzheimer's Disease Planning Committee

March 20, 2013

*Whereas*, creation of a plan to address the epidemic of Alzheimer's disease and other related brain disorders in our Commonwealth is a major concern of this administration; and

*Whereas*, the Pennsylvania Department of Aging was created in 1978 by Act 70 as a cabinet-level state agency whose jurisdiction, powers and duties specifically concern and are directed to advancing the well-being of Pennsylvania's older citizens; and

*Whereas*, Act 70 authorizes the Department of Aging to "develop and periodically update a comprehensive plan for coordinating all major Commonwealth services, programs and activities which are directed towards persons with chronic physical or mental impairments which necessitate long-term care"; and

*Whereas*, Act 70 further authorizes the Department of Aging to: "maintain a clearinghouse of information related to the interests of older persons and provide technical assistance and consultation to all agencies, both public and private with respect to programs and services for older persons"; and

*Whereas*, Act 70 directs the Department of Aging to undertake "special advocacy efforts to promote greater awareness of, and more effective response to, the problems of persons with Alzheimer's disease and other related brain disorders"; and

*Whereas*, Alzheimer's disease currently affects one in twelve Pennsylvania families; and

*Whereas*, the interests of this Commonwealth would be best served by establishing a planning committee within the Department of Aging to develop and recommend to the Governor and the Department a State Alzheimer's Plan that will serve as a comprehensive approach to addressing the growing Alzheimer's disease crisis.

*Now, Therefore*, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Pennsylvania Alzheimer's Disease Planning Committee (hereinafter referred to as "Committee").

1. *Purpose*. The purpose of the Committee shall be, working with the Department of Aging and other state agencies, to consult with residential and community care providers, professional and family caregivers and persons affected by Alzheimer's disease and related disorders to create for the consideration of the Governor and the Department a comprehensive plan for a thoughtful, integrated and cost-effective approach to addressing the needs of persons with Alzheimer's disease and other related brain disorders.

2. *Responsibilities*. The responsibilities of the Committee shall be to:

a. Examine the needs and research the trends in the Pennsylvania's Alzheimer's population;

b. Study existing resources for addressing the needs of persons with Alzheimer's disease, and their families and caregivers;

c. Develop for the consideration of the Governor and the Department of Aging a strategy to mobilize the Commonwealth's response to the anticipated increase in incidence of Alzheimer's disease in Pennsylvania; and

d. Make recommendations to the Governor.

3. *Composition.* The Secretary of Aging or a designee shall serve as the Chairperson and shall provide administrative support and other resources determined by the Secretary of Aging necessary to fulfill the requirements of this Executive Order. Other members of the Committee shall consist of:

a. The majority and minority chairpersons of the Aging and Youth Committee and the Public Health and Welfare Committee of the Senate or their designees;

b. The majority and minority chairpersons of the Aging and Older Adult Services Committee and the Health Committee of the House of Representatives or their designees; and

c. Certain other members appointed by the Governor who shall consist of: one person affected by Alzheimer's disease, one caregiver of a person with Alzheimer's disease; one family member of a person with Alzheimer's disease; one representative of the nursing home industry; one representative of the assisted living industry; one representative of the personal care home industry; one representative of the adult day-care services industry; one representative of the home care industry; one representative of the medical care provider community; one Alzheimer's disease researcher; one representative of a statewide Alzheimer's association; one representative each of the Pennsylvania Departments of Health and of Public Welfare; one representative of the hospice industry; one representative of a senior center; and one representative of the area agencies on aging.

4. *Terms of Membership.*

a. Members shall be appointed for terms of one year. All members appointed by the Governor shall serve at the pleasure of the Governor;

b. Committee vacancies that may occur shall be appointed in accordance with Section 3 of this Executive Order. Successors shall be appointed for the remainder of the original one year term; and

c. A member who is absent from two consecutive meetings of the Committee, without excuse, shall forfeit membership on the Committee, and a replacement member shall be appointed in accordance with Section 3 of this Executive Order.

5. *Compensation.* Members of the Committee shall receive no compensation for their service.

6. *Effective Date.* This Executive Order shall take effect immediately.

7. *Termination Date.* This Executive Order shall expire on February 7, 2014.



Governor

**Fiscal Note:** 2013-03. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 13-757. Filed for public inspection April 26, 2013, 9:00 a.m.]

## [ EXECUTIVE ORDER NO. 2013-02 ]

**Rescission of Executive Order 1987-3 Transfer of Waynesburg Youth Development Center to the Department of Corrections**

March 18, 2013

*Whereas*, the Department of General Services sold the Waynesburg Youth Development Center property;

*Now, Therefore*, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws do hereby direct that Executive Order 1987-3, Transfer of Waynesburg Youth Development Center to the Department of Corrections, issued on January 16, 1987, is *Rescinded*.

This rescission is effective immediately.



Governor

**Fiscal Note:** 2013-02. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 13-758. Filed for public inspection April 26, 2013, 9:00 a.m.]

# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meetings Scheduled

The Commission on Sentencing (Commission) announces the following meetings to be held at the Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, PA and at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA:

Wednesday, June 5, 2013	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Hotel One North Second Street Harrisburg, PA
Thursday, June 6, 2013	9 a.m.	Policy Committee Meeting Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA
	1 p.m.	Commission Meeting Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 13-759. Filed for public inspection April 26, 2013, 9:00 a.m.]

# THE COURTS

## Title 207—JUDICIAL CONDUCT

### PART II. CONDUCT STANDARDS

[ 207 PA. CODE CH. 51 ]

#### Proposed Rescission of Rule 13 and Amendment of Rule 14

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania rescind Rule 13 and amend Rule 14 of the Rules of Conduct for Magisterial District Judges. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

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

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

Pamela S. Walker, Counsel  
Supreme Court of Pennsylvania  
Minor Court Rules Committee  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
Fax: 717-231-9546  
or email to: [minorrules@pacourts.us](mailto:minorrules@pacourts.us)

no later than June 28, 2013.

By the Minor Court Rules Committee

MARY P. MURRAY,  
*Chair*

#### Annex A

### TITLE 207. JUDICIAL CONDUCT

#### PART II. CONDUCT STANDARDS

#### CHAPTER 51. STANDARDS OF CONDUCT OF MAGISTERIAL DISTRICT JUDGES

#### PENNSYLVANIA RULES FOR MAGISTERIAL DISTRICT JUDGES

Rule 13. [ Incompatible Practices ] (Reserved).

[ Magisterial district judges and all employees assigned to or appointed by magisterial district judges shall not engage, directly or indirectly, in any activity or act incompatible with the expeditious, proper and impartial discharge of their duties, including, but not limited to, (1) in any activity prohibited by law; (2) in the collection business; or (3) in the acceptance of any premium or fee for any

judicial bond. Magisterial district judges shall not exploit their judicial position for financial gain or for any business or professional advantage. Magisterial district judges shall not receive any fee or emolument for performing the duties of an arbitrator.

*Official Note:* The next to the last sentence of this rule is derived in part from Canon 5C(1) of the American Bar Association and Pennsylvania Supreme Court Code of Judicial Conduct.

Pursuant to the authority granted by Article V, Section 10 of the Pennsylvania Constitution, the Supreme Court adopted the Rules Governing Standards of Conduct of Magisterial District Judges as the exclusive means of regulating the conduct of magisterial district judges under the supervision of the Supreme Court. Disqualification from proceedings is the most appropriate means of ensuring judicial integrity and impartiality in proceedings, including, but not limited to, those arising from the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S.A. § 1101 et seq.).

No magisterial district judge shall have a financial interest, as defined by Section 1512(B) of the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S.A. § 1101 et seq.), in or be employed, directly or indirectly, by any licensed racing entity or licensed gaming entity, or any holding, affiliate, intermediary or subsidiary company thereof or any such applicant, or engage in the active ownership or participate in the management of any such entities and related companies.

Rule 8(A) of the Rules Governing Standards of Conduct of Magisterial District Judges continues to govern the disqualification of magisterial district judges where the interest in or relationship with a licensed racing or licensed gaming entity or related company thereto, or any such applicant therefor, of the magisterial district judge or a family member is at issue. ]

*Official Note:* The provisions of former Rule 13 were added to Rule 14 to reflect limitations on outside activities applicable to all magisterial district judges.

Rule 14. [ Prohibited Practice of Attorney Magisterial District Judges ] Limitations Relating to Outside Activities.

[ A. Attorneys who are magisterial district judges shall not practice before any magisterial district judge in the Commonwealth, nor shall they act as a lawyer in a proceeding in which they have served as a magisterial district judge or in any other proceeding related thereto. Nor shall they practice criminal law in the county within which their magisterial district is located. An employer, employe, partner of office associate of such magisterial district judges shall not appear or practice before them.

B. Attorneys who are magisterial district judges shall not practice before, or act as an attorney or solicitor for, any county or local municipal, governmental or quasi governmental agency, board, authority or commission operating within the Commonwealth.

*Official Note:* Subdivision A of this rule is derived from former Rule 3A and Compliance Exception A(2), American Bar Association Code of Judicial Conduct. Subdivision B is derived from former Rule 3B. This rule contains all the prohibitions upon the practice of law by attorney magisterial district judges that were thought necessary. ]

A. Magisterial district judges shall not engage, directly or indirectly, in any activity or act incompatible with the expeditious, proper and impartial discharge of their duties, including, but not limited to, any of the following: (1) any activity prohibited by law; (2) any activity related to the collection of a claim or judgment for money; or (3) any activity related to judicial bonds.

B. Magisterial district judges shall not exploit their judicial position for financial gain or for any business or professional advantage.

C. Magisterial district judges shall not perform the duties of an arbitrator or mediator in any of the following situations in which they receive a fee or emolument: (1) in any proceeding in which venue would have been proper in the magisterial district in which they serve pursuant to Rule 302 and (2) in any proceedings in which venue would have been proper in the county within which their magisterial district is located unless serving as a neutral arbitrator, or in a non-binding arbitration or mediation proceeding.

D. Magisterial district judges who are attorneys shall not practice law (1) before any magisterial district judge in the Commonwealth; (2) in any proceeding in which they have served as a magisterial district judge; (3) in any proceeding related to a proceeding in which they served as a magisterial district judge; and (4) in any criminal proceeding in the county within which their magisterial district is located. Magisterial district judges who are attorneys shall neither practice before nor act as an attorney or solicitor for any county or local municipal, governmental or quasi-governmental agency, board, authority or commission operating within the Commonwealth.

E. Magisterial district judges who are attorneys shall not permit their employers, employees, partners or legal associates to appear or practice before them.

*Official Note:* Subdivisions A, B and C of this rule apply to all magisterial district judges, including magisterial district judges who are attorneys.

Magisterial district judges are permitted to supplement their income as long as it does not interfere with their judicial responsibilities. Rule 14C permits magisterial district judges to receive fees and emoluments for serving as an arbitrator or mediator in certain circumstances. There is no prohibition against any active judge serving as an

arbitrator or mediator without compensation so long as the judge follows the guidelines of Canon 3B of the Code of Judicial Conduct and that such an arbitration or mediation does not interfere with the prompt and efficient management of that judge's own court docket. Subdivision C of this rule applies to all types of alternative dispute resolution, including but not limited to, arbitration and mediation.

In Subdivision C, mediation was added to this rule in recognition of the growth of alternative dispute resolution after the rule was originally promulgated, and the fact that there should not be a distinction between a magisterial district judge serving as an arbitrator or mediator.

Subdivision D of this rule is derived from former Rule 13A and Compliance Exception A(2), American Bar Association Code of Judicial Conduct.

Subdivision E of this Rule is derived from former Rule 13B.

## REPORT

### *Proposed Rescission of Rule 13 and Amendment of Rule 14 of the Rules of Conduct for Magisterial District Judges*

#### Clarification Regarding Limitations on Outside Activities

##### I. Introduction

The Minor Court Rules Committee (the "Committee") is proposing the rescission of Rule 13 and the amendment of Rule 14 of the Rules of Conduct for Magisterial District Judges. These rules currently address activities prohibited to all magisterial district judges (Rule 13), as well as practices prohibited by attorney magisterial district judges only (Rule 14). The goal of this change is to combine these rules into one rule encompassing all limitations on magisterial district judges, as well as to modify the existing prohibition on magisterial district judges serving as paid arbitrators.

The issue of limitations on outside activities by magisterial district judges has been under review by the Committee since at least 2002. The issue initially arose as questions to the Committee asking whether or not an attorney magisterial district judge could also serve as an arbitrator, particularly in arbitration cases where the arbitrators' fees are paid by the parties. There appeared to be conflicting interpretations as to whether the prohibition on "receiving any fee or emolument for performing the duties of an arbitrator", set forth in Rule 13, applied to attorney magisterial district judges, who were also subject to the additional prohibited practices set forth in Rule 14. After consideration of the inquiry, and review of the relevant rules, statutes, and other authorities, the Committee agreed that amendments to the rules were advisable to clarify that no magisterial district judge, including a judge who was also an attorney, may act as an arbitrator for a fee.

The Committee published its initial proposal in 2003, at 33 Pa.B. 745 (February 8, 2003). After receiving comments from various sources, the Committee reworked the proposal, and subsequently tabled it while other groups attempted to achieve a legislative solution to the question. In the absence of a legislative solution, the Commit-

tee republished the proposal at 37 Pa.B. 6902 (December 29, 2007), and received additional valuable input. The Committee submitted a recommendation to the Pennsylvania Supreme Court (“Court”), but was instructed to engage in further review. The resulting proposal that follows is the product of the Committee’s ongoing review of the questions initially posed in 2002.

## II. Discussion

As reflected in the versions of the rules previously published, the Committee’s past approach was an absolute prohibition on magisterial district judges receiving fees or emoluments for performing the duties of an arbitrators. However, upon further reflection, the Committee agreed that there could be less restrictive means of modifying the current rule, restricting paid activity only to cases within certain parameters. Additionally, the Committee decided to propose limitations on activities as a paid mediator in the same situations as paid arbitrators.

## III. Proposed Rule Changes

### A. Rule 13

The current version of Rule 13, titled “Incompatible Practices”, sets forth certain prohibitions applicable to all magisterial district judges. The Committee agreed that rescinding Rule 13 and incorporating its provisions into Rule 14 was the simplest way to ensure that all magisterial district judges, both attorneys and non-attorneys, were following the same guidelines for incompatible practices and prohibitions. The substantive material of Rule 13, with modification, is found in Rule 14. A note was added to Rule 13, directing readers to Rule 14.

### B. Rule 14

The current version of Rule 14, titled, “Prohibited Practice of Attorney Magisterial District Judges”, sets forth those limitations applicable only to attorney magisterial district judges. As explained above, the Committee’s goal in redrafting Rules 13 and 14 was to clarify the limitations on all judges, remove the artificial distinction between attorney and non-attorney judges on the arbitration issue, and lessen restrictions on arbitration practices. Proposed subdivisions A and B are taken from the first two sentences of current Rule 13. Proposed subdivision D is based on current Rule 14A and 14B, while proposed subdivision E is based on the last sentence to current Rule 14A.

Proposed subdivision C is the revised provision addressing magisterial district judges serving as arbitrators or mediators. Specifically, magisterial district judges are not to serve as arbitrators or mediators for a fee or emolument in situations where venue would be proper in the judge’s district, or in proceedings in which venue would be proper in the county where the judge’s district is located, unless the judge is serving as a neutral arbitrator or in a non-binding arbitration or mediation proceeding. By modifying the existing prohibition on serving as a paid arbitrator, magisterial district judges will be able to participate in this arena in a manner that will not potentially overlap with parties, attorneys and matters with cases heard in the judge’s court or local area.

[Pa.B. Doc. No. 13-760. Filed for public inspection April 26, 2013, 9:00 a.m.]

# Title 210—APPELLATE PROCEDURE

## PART I. RULES OF APPELLATE PROCEDURE [ 210 PA. CODE CH. 17 ]

### Order Amending Note to Rule 1701 of the Rules of Appellate Procedure; No. 224 Appellate Procedural Rules Doc.

#### Order

#### *Per Curiam*

*And Now*, this 9th day of April, 2013, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 41 Pa.B. 4529 (August 20, 2011):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Note to Pennsylvania Rule of Appellate Procedure 1701 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective to appeals and petitions for review filed 30 days after adoption.

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE II. APPELLATE PROCEDURE

#### CHAPTER 17. EFFECT OF APPEALS; SUPERSEDEAS AND STAYS

#### IN GENERAL

#### Rule 1701. Effect of Appeal Generally.

\* \* \* \* \*

**Official Note:** The following statutory provisions relate to supersedeas generally:

42 Pa.C.S. § 702(c) (supersedeas) provides that except as otherwise prescribed by general rule, a petition for permission to appeal under that section shall not stay the proceedings before the lower court or other government unit, unless the lower court or [ **other** ] other government unit or the appellate court or a judge thereof shall so order. *See also* Rule 1313 (effect of filing petition).

42 Pa.C.S. § 5105(e) (supersedeas) provides that an appeal shall operate as a supersedeas to the extent and upon the conditions provided or prescribed by law, and that unless a supersedeas is entered no appeal from an order concerning the validity of a will or other instrument or the right to the possession of or to administer any real or personal property shall suspend the powers or prejudice the acts of the appointive judicial officer, personal representative or other person acting thereunder.

Subdivision (a) codifies a well-established principle. *See e.g., Merrick Estate*, 432 Pa. 450, 454, 247 A.2d 786, 787 (1968); *Corace v. Balint*, 418 Pa. 262, 275-76, 210 A.2d



882, 889 (1965)[ ; *Gilbert v. Lebanon Val. St. Ry. Co.*, 303 Pa. 213, 154 Atl. 302 (1931); *Drabant v. Cure*, 274 Pa. 180, 118 Atl. 30 (1922); *Silver v. Edelstein*, 266 Pa. 531, 109 Atl. 679 (1920) ]. Rule 5102 saves the provisions of Section 426 of [ **The** ] **the** Pennsylvania Workmen's Compensation Act (77 P. S. § 871), which permit a rehearing by the agency under certain circumstances during the pendency of an appeal. Rule [ **311(e)** ] **311(h)** (further proceedings in lower court) provides that Subdivision (a) is not applicable where an appeal as of right is taken from interlocutory orders relating to attachments, [ **injunctions** ] **injunctions**, etc., thus making clear that the procedure for seeking appellate review of these collateral matters does [ **no** ] **not** impair the power of the lower court to continue with the case proper.

Subdivision (b)(1) sets forth an obvious power of the lower court or agency under these rules[ , **but is not intended to permit fundamental corrections in the record.** See *Corabi v. Curtis Pub. Co.*, 437 Pa. 143, 150, 262 A.2d 665, 668 (1970) ] **to take actions to preserve the status quo and to clarify or correct an order or verdict. The power to clarify or correct does not extend to substantive modifications.** *Pa. Indus. Energy Coalition v. Pennsylvania PUC*, 653 A.2d 1336, 1344-45 (Pa. Cmwlth. 1995), *aff'd*, 543 Pa. 307, 670 A.2d 1152 (1996). Examples of permissible actions to preserve the status quo are those "auxiliary to the appellate process, such as a supersedeas or injunction." *Id.* Examples of permissible corrections are "non-substantial technical amendments to an order, changes in the form of a decree, and modification of a verdict to add prejudgment interest." *Id.* at 1344. "Such actions have no effect on the appeal or petition for review and cannot prompt a new appealable issue." *Id.* at 1345.

Among the permissible "corrections" is the addition or modification of contractual or statutory prejudgment interest, which is an element of contract damages. In such cases, the award of such interest is mandatory and not discretionary. *TruServ Corp. v. Morgan's Tool & Supply Co. Inc.*, Pa. , 39 A.3d 253, 264 (2012). Accordingly, even though the amount of a verdict is changed by the addition of prejudgment interest, the verdict has been "corrected" and not "modified."

The Supreme Court has held that, so long as a motion for attorneys' fees has been timely filed, a trial court may act on that motion under subdivision (b)(1) even after an appeal has been taken. *Samuel-Bassett v. Kia Motors Am., Inc.*, 613 Pa. 371, 34 A.3d 1, 48 (2011). Thus, unlike the court actions discussed in *Pa. Indus. Energy Coalition*, an award of attorneys' fees constitutes a separately appealable order that would be reviewable upon filing of a timely separate notice of appeal, measured from the date the fee award order was entered.

Generally an appeal does not operate as a supersedeas of government agency action.

\* \* \* \* \*

[Pa.B. Doc. No. 13-761. Filed for public inspection April 26, 2013, 9:00 a.m.]

# Title 231—RULES OF CIVIL PROCEDURE

## PART I. GENERAL

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

#### Amendment of Rules 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-6 and 1910.16-7 of the Rules of Civil Procedure; No. 576 Civil Procedural Rules Doc.

#### Order

#### *Per Curiam*

*And Now*, this 9th day of April, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 1642 (March 31, 2012):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-6, and 1910.16-7 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 9, 2013.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

#### Rule 1910.16-1. Amount of Support. Support Guidelines.

##### (a) *Applicability of the Support Guidelines.*

(1) Except as set forth in subdivision (2) below, the support guidelines set forth the amount of support which a spouse or parent should pay on the basis of both parties' net monthly incomes as defined in Rule 1910.16-2 and the number of persons being supported.

(2) In actions in which the plaintiff is a public body or private agency pursuant to Rule 1910.3, the amount of the order shall be calculated under the guidelines based upon each obligor's net monthly income as defined in Rule 1910.16-2, with the public or private entity's income as zero. In such cases, each parent shall be treated as a separate obligor and a parent's obligation will be based upon his or her own monthly net income without regard to the income of the other parent.

(i) The amount of basic child support owed to other children not in placement shall be deducted from each parent's net income before calculating support for the child or children in placement, including the amount of direct support the guidelines assume will be provided by the custodial parent.

*Example 1.* Mother and Father have three children and do not live in the same household. Mother has primary custody of two children and net income of \$2,000 per month. Father's net monthly income is \$3,000. The parties' third child is in foster care placement. Pursuant to the schedule at Rule 1910.16-3, the basic child support amount for the two children with Mother is [ **\$1,350** ] **\$1,369**. As Father's income is 60% of the parties' combined monthly net income, his basic support obligation to

Mother is [ \$810 ] \$821 per month. The guidelines assume that Mother will provide [ \$540 ] \$548 per month in direct expenditures to the two children in her home. The agency/obligee brings an action against each parent for the support of the child in placement. Father/obligor's income will be [ \$2,190 ] \$2,179 for purposes of this calculation (\$3,000 net less [ \$810 ] \$821 in support for the children with Mother). Because the agency/obligee's income is zero, Father's support for the child in placement will be 100% of the schedule amount of basic support for one child at the [ \$2,190 ] \$2,179 income level, or [ \$528 ] \$520 per month. Mother/obligor's income will be [ \$1,460 ] \$1,452 for purposes of this calculation (\$2,000 net less [ \$540 ] \$548 in direct support to the children in her custody). Her support obligation will be 100% of the schedule amount for one child at that income level, or [ \$354 ] \$348 per month.

*Example 2.* Mother and Father have two children in placement. Father owes child support of \$500 per month for two children of a former marriage. At the same income levels as above, Father's income for determining his obligation to the children in placement would be \$2,500 (\$3,000 less \$500 support for two children of prior marriage). His obligation to the agency would be [ \$866 ] \$848 per month (100% of the schedule amount for two children at the \$2,500 per month income level). Mother's income would not be diminished as she owes no other child support. She would owe [ \$698 ] \$685 for the children in placement (100% of the schedule amount for two children at the \$2,000 income level).

(ii) If the parents reside in the same household, their respective obligations to the children who remain in the household and are not in placement shall be calculated according to the guidelines, with the parent having the higher income as the obligor, and that amount shall be deducted from the parents' net monthly incomes for purposes of calculating support for the child(ren) in placement.

*Example 3.* Mother and Father have four children, two of whom are in placement. Mother's net monthly income is \$4,000 and Father's is [ \$2,000 ] \$3,000. The basic support amount for the two children in the home is [ \$1,483 ] \$1,628, according to the schedule at Rule 1910.16-3. As Mother's income is [ 67% ] 57% of the parties' combined net monthly incomes, her share would be [ \$994 ] \$928, and Father's [ 33% ] 43% share would be [ \$489 ] \$700. Mother's income for purposes of calculating support for the two children in placement would be [ \$3,006 ] \$3,072 (\$4,000 less [ \$994 ] \$928). She would pay 100% of the basic child support at that income level, or [ \$1,033 ] \$1,032, for the children in placement. Father's income would be [ \$1,511 ] \$2,300 ([ \$2,000 ] \$3,000 less [ \$489 ] \$700) and his obligation to the children in placement would be [ \$531 ] \$782.

\* \* \* \* \*

**Explanatory Comment—2010**

\* \* \* \* \*

H. *Other Amendments.* All of the examples in the guidelines have been updated to reflect the changes to the basic child support schedule. Prior explanatory comments have been deleted or revised and incorporated into new comments.

**Explanatory Comment—2013**

The schedule of basic child support has been updated to reflect newer economic data. The schedule was prepared by Jane Venohr, Ph.D., the economist who assisted in the last guideline review using the same methodology. It includes an increase in the Self-Support Reserve to \$931 per month, the 2012 federal poverty level for one person.

**Rule 1910.16-2. Support Guidelines. Calculation of Net Income.**

Generally, the amount of support to be awarded is based upon the parties' monthly net income.

\* \* \* \* \*

(b) *Treatment of Public Assistance, SSI Benefits, Social Security Payments to a Child Due to a Parent's Death, Disability or Retirement and Foster Care Payments.*

(1) *Public Assistance and SSI Benefits.* Neither public assistance nor Supplemental Security Income (SSI) benefits shall be counted as income for purposes of determining support.

(2) *Social Security Payments for a Child.* If a child for whom support is sought is receiving Social Security benefits as a result of a parent's retirement, death or disability, the benefits the child receives shall be added to the combined monthly net incomes of the obligor and the obligee to calculate the income available for support on the vertical axis of the basic child support schedule set forth in Rule 1910.16-3. The presumptive amount of support as set forth on the schedule at the combined income of the obligee, obligor and child's benefits shall then be reduced by the amount of the child's benefits before apportioning the remaining support obligation between the parties pursuant to Rule 1910.16-4. This calculation presumes that the primary custodial parent, or the shared custodial parent who is the obligee, is receiving the child's benefits. In cases in which the obligor is receiving the child's benefits, the amount of the child's benefit shall be added to the obligor's income and support shall be calculated as in any other case without deduction of the amount of the benefit from the presumptive amount of support set forth in the basic support schedule. For purposes of determining the support obligation of a surviving parent when the child is receiving benefits as the result of the other parent's death, the income of a non-parent obligee who is caring for a child but has no support obligation to that child shall include only those funds the obligee is receiving on behalf of the child.

(3) *Foster Care Payments.* If either party to a support action is a foster parent and/or is receiving payments from a public or private agency for the care of a child who is not his or her biological or adoptive child, those payments shall not be included in the income of the foster parent or other caretaker for purposes of calculating child support for the foster parent's or other caretaker's biological or adoptive child.

*Example 1.* If the obligor has net income of \$1,200 per month; the obligee has net monthly income of \$800; and the child receives Social Security derivative benefits of \$300 per month as a result of either the obligor's or obligee's retirement or disability, then the total combined

monthly net income is \$2,300. Using the schedule at Rule 1910.16-3 for one child, the amount of support is [ \$551 ] \$543 per month. From that amount, subtract the amount the child is receiving in Social Security derivative benefits ([ \$551 ] \$543 minus \$300 equals [ \$251 ] \$243). Then, apply the formula at Rule 1910.16-4 to apportion the remaining child support amount of [ \$251 ] \$243 between the obligor and the obligee in proportion to their respective incomes. The obligor's \$1,200 net income per month is 60% of the total of the obligor's and the obligee's combined net monthly income. Thus, the obligor's support obligation would be 60% of [ \$251 ] \$243, or [ \$151 ] \$146, per month.

*Example 2.* Two children live with Grandmother who receives \$400 per month in Social Security death benefits for the children as a result of their father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$1,500 net per month. For purposes of calculating Mother's support obligation, Grandmother's income will be \$500, the amount she receives on behalf of the children from the trust. Therefore, the obligee's and the obligor's combined net monthly incomes total \$2,000. Add to that the \$400 in Social Security benefits Grandmother receives for the children to find the basic child support amount in Rule 1910.16-3. The basic support amount at the \$2,400 income level for two children is [ \$831 ] \$815. Subtracting from that amount the \$400 in Social Security derivative benefits Grandmother receives for the children, results in a basic support amount of [ \$431 ] \$415. As Mother's income is 75% of the parties' combined income of \$2,000, her support obligation to Grandmother is [ \$323 ] \$311 per month.

\* \* \* \* \*

(e) *Net Income Affecting Application of the Support Guidelines.*

(1) *Low Income Cases.*

(A) When the obligor's monthly net income and corresponding number of children fall into the shaded area of the schedule set forth in Rule 1910.16-3, the basic child support obligation shall first be calculated using the obligor's income only. For example, where the obligor has monthly net income of [ \$950 ] \$1,100, the presumptive amount of support for three children is [ \$77 ] \$156 per month. This amount is determined directly from the schedule in Rule 1910.16-3. Next, calculate the obligor's child support obligation as in any other case, using both parties' monthly net incomes. The lower of the two calculations shall be the obligor's basic child support obligation.

*Example:* The parties have two children. The obligor has net monthly income of \$1,500, which falls into the shaded area of the schedule for two children. Using only the obligor's income, the amount of support for two children would be \$518. Next, calculate support using both parties' incomes. The obligee has net monthly income of \$2,500 so the combined net monthly income of the parties is

**\$4,000. The basic child support amount at that income level for two children is \$1,240. As the obligor's income is 38% of the combined net monthly income of the parties, the obligor's share of the basic support amount is \$471. As the amount of support the obligor would pay using the obligor's income alone is more than the amount calculated using both parties' incomes, the lower amount would be awarded. Thus, the obligor's basic child support obligation is \$471.**

(B) In computing a basic spousal support or alimony pendente lite obligation, the presumptive amount of support shall not reduce the obligor's net income below the Self-Support Reserve of [ \$867 ] \$931 per month. For example, if the obligor earns \$1,000 per month and the obligee earns \$300 per month, the formula in Part IV of Rule 1910.16-4 would result in a support obligation of \$280 per month. Since this amount leaves the obligor with only \$720 per month, it must be adjusted so that the obligor retains at least [ \$867 ] \$931 per month. The presumptive minimum amount of spousal support, therefore, is [ \$133 ] \$69 per month in this case.

(C) When the obligor's monthly net income is [ \$867 ] \$931 or less, the court may award support only after consideration of the [ obligor's ] parties' actual financial resources and living expenses.

\* \* \* \* \*

**Explanatory Comment—2010**

\* \* \* \* \*

Subdivision (e) also has been amended to eliminate the application of *Melzer v. Witsberger*, 505 Pa. 462, 480 A.2d 991 (1984), in high income child support cases. In cases in which the parties' combined net monthly income exceeds \$30,000, child support will be calculated in accordance with the three-step process in new rule 1910.16-3.1(a).

**Explanatory Comment—2013**

The SSR has been increased to \$931, the 2012 federal poverty level for one person. Subdivision (e) has been amended to require that when the obligor's income falls into the shaded area of the basic child support schedule in Rule 1910.16-3, two calculations must be performed. One calculation uses only the obligor's income and the other is a regular calculation using both parties' incomes, awarding the lower amount to the obligee. The two step process is intended to address those cases in which the obligor has minimal income and the obligee's income is substantially greater.

**Rule 1910.16-3. Support Guidelines. Basic Child Support Schedule.**

The following schedule sets forth the amounts spent on children in intact families by combined income and number of children. Combined income is on the vertical axis of the schedule and number of children is on the horizontal axis of the schedule. This schedule is used to find the basic child support obligation. Unless otherwise provided in these rules, the obligor's share of the basic support obligation shall be computed using the formula set forth in Part I of Rule 1910.16-4.

<i>[Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
0-900	50	55	60	65	70	75
950	75	76	77	78	78	79
1000	120	121	123	124	125	127
1050	165	167	169	171	172	174
1100	210	212	215	217	219	222
1150	255	258	261	264	266	269
1200	294	303	307	310	313	317
1250	306	349	353	357	360	364
1300	318	394	399	403	407	412
1350	330	440	445	450	454	459
1400	342	485	491	496	501	507
1450	354	514	537	543	548	554
1500	365	531	583	589	595	602
1550	377	548	629	636	642	649
1600	389	565	665	682	689	697
1650	401	582	684	729	736	744
1700	412	598	704	775	783	792
1750	424	615	723	808	830	839
1800	436	631	742	829	877	887
1850	447	648	762	851	924	934
1900	459	664	781	872	960	982
1950	470	681	800	894	983	1029
2000	482	698	820	915	1007	1077
2050	493	714	839	937	1031	1120
2100	505	731	858	959	1054	1146
2150	517	747	877	980	1078	1172
2200	528	764	897	1002	1102	1198
2250	540	781	916	1023	1126	1223
2300	551	797	936	1045	1150	1250
2350	563	814	956	1068	1174	1277
2400	575	831	976	1090	1199	1304
2450	587	849	996	1113	1224	1330
2500	598	866	1016	1135	1249	1357
2550	610	883	1036	1158	1273	1384
2600	622	900	1057	1180	1298	1411
2650	634	917	1077	1203	1323	1438
2700	646	934	1097	1225	1348	1465
2750	657	951	1117	1248	1373	1492
2800	669	968	1137	1270	1397	1519
2850	681	985	1157	1293	1422	1546
2900	693	1002	1178	1315	1447	1573
2950	704	1019	1198	1338	1472	1600
3000	714	1033	1213	1354	1490	1619
3050	723	1045	1226	1370	1507	1638
3100	732	1057	1240	1385	1523	1656

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
3150	741	1070	1253	1400	1540	1674
3200	750	1082	1267	1415	1557	1692
3250	759	1094	1281	1431	1574	1711
3300	768	1107	1294	1446	1590	1729
3350	777	1119	1308	1461	1607	1747
3400	786	1131	1322	1476	1624	1765
3450	793	1141	1333	1489	1637	1780
3500	798	1149	1342	1500	1650	1793
3550	804	1157	1352	1511	1662	1806
3600	809	1165	1362	1522	1674	1819
3650	815	1173	1372	1533	1686	1832
3700	820	1182	1382	1543	1698	1846
3750	826	1190	1392	1554	1710	1859
3800	831	1198	1401	1565	1722	1872
3850	837	1206	1411	1576	1734	1885
3900	842	1214	1421	1587	1746	1898
3950	848	1222	1430	1597	1757	1910
4000	854	1231	1439	1608	1769	1922
4050	860	1239	1449	1618	1780	1935
4100	866	1247	1458	1629	1791	1947
4150	872	1255	1467	1639	1803	1960
4200	878	1264	1477	1649	1814	1972
4250	884	1272	1486	1660	1826	1984
4300	890	1280	1495	1670	1837	1997
4350	895	1286	1502	1677	1845	2006
4400	898	1291	1506	1682	1850	2011
4450	902	1295	1510	1686	1855	2016
4500	905	1299	1513	1691	1860	2021
4550	909	1303	1517	1695	1864	2027
4600	912	1307	1521	1699	1869	2032
4650	916	1312	1525	1704	1874	2037
4700	919	1316	1529	1708	1879	2042
4750	923	1320	1533	1712	1884	2047
4800	926	1325	1538	1718	1890	2054
4850	931	1331	1545	1726	1898	2064
4900	935	1337	1552	1734	1907	2073
4950	940	1343	1559	1742	1916	2082
5000	944	1350	1566	1749	1924	2092
5050	949	1356	1573	1757	1933	2101
5100	953	1362	1580	1765	1942	2111
5150	957	1368	1587	1773	1950	2120
5200	962	1374	1594	1781	1959	2129
5250	966	1380	1601	1789	1968	2139
5300	971	1387	1608	1797	1976	2148
5350	975	1393	1615	1804	1985	2157

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
5400	980	1399	1622	1812	1993	2167
5450	984	1405	1629	1820	2002	2176
5500	989	1412	1637	1829	2011	2186
5550	994	1419	1645	1837	2021	2197
5600	1000	1426	1653	1846	2031	2207
5650	1005	1433	1660	1855	2040	2218
5700	1010	1440	1668	1864	2050	2228
5750	1015	1447	1676	1872	2059	2239
5800	1020	1454	1684	1881	2069	2249
5850	1025	1461	1692	1890	2079	2260
5900	1031	1469	1700	1899	2088	2270
5950	1036	1476	1707	1907	2098	2281
6000	1041	1483	1715	1916	2108	2291
6050	1046	1490	1723	1925	2117	2301
6100	1051	1497	1731	1933	2127	2312
6150	1056	1504	1739	1942	2136	2322
6200	1061	1511	1747	1951	2147	2333
6250	1066	1518	1755	1961	2157	2344
6300	1071	1525	1763	1970	2167	2355
6350	1076	1532	1772	1979	2177	2366
6400	1081	1539	1780	1988	2187	2377
6450	1086	1546	1788	1997	2197	2388
6500	1091	1553	1796	2006	2207	2399
6550	1096	1560	1804	2015	2217	2410
6600	1101	1567	1812	2024	2227	2421
6650	1106	1574	1821	2034	2237	2432
6700	1111	1581	1829	2043	2247	2442
6750	1116	1588	1837	2052	2257	2453
6800	1121	1595	1845	2061	2267	2464
6850	1126	1602	1853	2070	2277	2475
6900	1131	1609	1861	2078	2286	2485
6950	1135	1616	1868	2087	2295	2495
7000	1140	1622	1876	2095	2304	2505
7050	1145	1629	1883	2103	2314	2515
7100	1150	1636	1891	2112	2323	2525
7150	1155	1643	1898	2120	2332	2535
7200	1160	1649	1906	2128	2341	2545
7250	1165	1656	1913	2137	2351	2555
7300	1170	1663	1921	2145	2360	2565
7350	1174	1670	1928	2154	2369	2575
7400	1179	1676	1936	2162	2378	2585
7450	1184	1683	1943	2170	2387	2595
7500	1189	1690	1951	2179	2397	2605
7550	1194	1696	1958	2187	2406	2615
7600	1199	1703	1966	2196	2415	2625

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
7650	1204	1710	1973	2204	2424	2635
7700	1209	1717	1981	2212	2434	2645
7750	1214	1723	1988	2221	2443	2656
7800	1218	1731	1997	2230	2453	2667
7850	1223	1738	2005	2240	2464	2678
7900	1228	1745	2014	2249	2474	2689
7950	1233	1752	2022	2259	2485	2701
8000	1238	1759	2031	2268	2495	2712
8050	1243	1766	2039	2278	2505	2723
8100	1248	1774	2048	2287	2516	2735
8150	1253	1781	2056	2297	2526	2746
8200	1258	1788	2064	2306	2537	2757
8250	1263	1795	2073	2316	2547	2769
8300	1268	1802	2081	2325	2557	2780
8350	1273	1809	2090	2334	2568	2791
8400	1278	1816	2098	2344	2578	2803
8450	1283	1824	2107	2353	2589	2814
8500	1288	1831	2115	2363	2599	2825
8550	1293	1838	2124	2372	2609	2837
8600	1297	1845	2132	2382	2620	2848
8650	1302	1852	2141	2391	2630	2859
8700	1305	1856	2145	2396	2635	2864
8750	1307	1859	2149	2400	2640	2870
8800	1310	1863	2153	2404	2645	2875
8850	1313	1866	2156	2409	2650	2880
8900	1315	1870	2160	2413	2654	2885
8950	1318	1873	2164	2417	2659	2890
9000	1320	1877	2168	2422	2664	2896
9050	1323	1880	2172	2426	2669	2901
9100	1325	1884	2176	2430	2673	2906
9150	1328	1887	2180	2435	2678	2911
9200	1330	1891	2184	2439	2683	2916
9250	1333	1894	2188	2443	2688	2922
9300	1335	1898	2191	2448	2693	2927
9350	1338	1901	2195	2452	2697	2932
9400	1340	1905	2199	2457	2702	2937
9450	1343	1908	2203	2461	2707	2942
9500	1345	1912	2207	2465	2712	2948
9550	1348	1915	2211	2470	2716	2953
9600	1351	1920	2217	2476	2723	2960
9650	1356	1926	2223	2483	2731	2969
9700	1360	1932	2229	2490	2739	2977
9750	1364	1937	2235	2497	2746	2985
9800	1368	1943	2241	2504	2754	2994
9850	1372	1948	2248	2511	2762	3002

<i>Monthly Basic Child Support Schedule</i>						
<i>COMBINED ADJUSTED NET INCOME</i>	<i>ONE CHILD</i>	<i>TWO CHILDREN</i>	<i>THREE CHILDREN</i>	<i>FOUR CHILDREN</i>	<i>FIVE CHILDREN</i>	<i>SIX CHILDREN</i>
9900	1376	1954	2254	2518	2769	3010
9950	1381	1960	2260	2525	2777	3019
10000	1385	1965	2266	2532	2785	3027
10050	1389	1971	2273	2538	2792	3035
10100	1393	1977	2279	2545	2800	3044
10150	1397	1982	2285	2552	2808	3052
10200	1402	1988	2291	2559	2815	3060
10250	1406	1994	2297	2566	2823	3069
10300	1410	1999	2304	2573	2831	3077
10350	1414	2005	2310	2580	2838	3085
10400	1418	2010	2316	2587	2846	3093
10450	1422	2016	2322	2594	2854	3102
10500	1427	2022	2329	2601	2861	3110
10550	1431	2027	2335	2608	2869	3118
10600	1435	2033	2341	2615	2876	3127
10650	1439	2039	2347	2622	2884	3135
10700	1443	2044	2354	2629	2892	3143
10750	1448	2051	2361	2637	2901	3153
10800	1452	2057	2369	2646	2910	3164
10850	1457	2064	2376	2654	2920	3174
10900	1462	2070	2384	2663	2929	3184
10950	1466	2077	2391	2671	2938	3194
11000	1471	2083	2399	2679	2947	3204
11050	1475	2090	2406	2688	2957	3214
11100	1480	2097	2414	2696	2966	3224
11150	1485	2103	2421	2705	2975	3234
11200	1489	2110	2429	2713	2985	3244
11250	1494	2116	2437	2722	2994	3254
11300	1499	2123	2444	2730	3003	3264
11350	1503	2129	2452	2739	3012	3274
11400	1508	2136	2459	2747	3022	3285
11450	1512	2142	2467	2755	3031	3295
11500	1517	2149	2474	2764	3040	3305
11550	1522	2156	2482	2772	3049	3315
11600	1526	2162	2489	2781	3059	3325
11650	1531	2169	2497	2789	3068	3335
11700	1535	2175	2504	2798	3077	3345
11750	1540	2182	2512	2806	3087	3355
11800	1545	2188	2520	2814	3096	3365
11850	1549	2195	2527	2823	3105	3375
11900	1554	2201	2535	2831	3114	3385
11950	1558	2208	2542	2840	3124	3395
12000	1563	2214	2550	2848	3133	3405
12050	1568	2221	2557	2857	3142	3416
12100	1572	2228	2565	2865	3151	3426



<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
12150	1577	2234	2572	2873	3161	3436
12200	1581	2241	2580	2882	3170	3446
12250	1586	2247	2588	2890	3179	3456
12300	1591	2254	2595	2899	3189	3466
12350	1595	2260	2603	2907	3198	3476
12400	1600	2267	2610	2916	3207	3486
12450	1605	2273	2618	2924	3216	3496
12500	1609	2280	2625	2932	3226	3506
12550	1613	2285	2632	2939	3233	3515
12600	1617	2290	2637	2945	3240	3522
12650	1620	2295	2642	2951	3246	3529
12700	1623	2300	2648	2957	3253	3536
12750	1627	2305	2653	2963	3260	3543
12800	1630	2309	2658	2969	3266	3550
12850	1634	2314	2664	2975	3273	3557
12900	1637	2319	2669	2981	3279	3565
12950	1641	2324	2674	2987	3286	3572
13000	1644	2328	2680	2993	3292	3579
13050	1648	2333	2685	2999	3299	3586
13100	1651	2338	2690	3005	3305	3593
13150	1654	2343	2695	3011	3312	3600
13200	1658	2347	2701	3017	3319	3607
13250	1661	2352	2706	3023	3325	3614
13300	1665	2357	2711	3029	3332	3621
13350	1668	2362	2717	3035	3338	3629
13400	1672	2366	2722	3041	3345	3636
13450	1675	2371	2727	3047	3351	3643
13500	1679	2376	2733	3053	3358	3650
13550	1682	2381	2738	3059	3364	3657
13600	1686	2385	2743	3064	3371	3664
13650	1689	2390	2749	3070	3377	3671
13700	1692	2395	2754	3076	3384	3678
13750	1696	2400	2759	3082	3391	3686
13800	1699	2404	2765	3088	3397	3693
13850	1703	2409	2770	3094	3404	3700
13900	1706	2414	2775	3100	3410	3707
13950	1710	2419	2781	3106	3417	3714
14000	1713	2423	2786	3112	3423	3721
14050	1717	2428	2791	3118	3430	3728
14100	1720	2433	2797	3124	3436	3735
14150	1723	2438	2802	3130	3443	3742
14200	1727	2442	2807	3136	3449	3750
14250	1730	2447	2813	3142	3456	3757
14300	1734	2452	2818	3148	3463	3764
14350	1737	2457	2823	3154	3469	3771

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
14400	1741	2461	2829	3160	3476	3778
14450	1744	2466	2834	3166	3482	3785
14500	1748	2471	2839	3172	3489	3792
14550	1751	2476	2845	3178	3495	3799
14600	1754	2481	2850	3184	3502	3807
14650	1758	2485	2855	3189	3508	3814
14700	1761	2490	2861	3195	3515	3821
14750	1765	2495	2866	3201	3522	3828
14800	1768	2500	2871	3207	3528	3835
14850	1772	2504	2877	3213	3535	3842
14900	1775	2509	2882	3219	3541	3849
14950	1779	2514	2887	3225	3548	3856
15000	1782	2519	2893	3231	3554	3863
15050	1786	2523	2898	3237	3561	3871
15100	1789	2528	2903	3243	3567	3878
15150	1792	2533	2909	3249	3574	3885
15200	1796	2538	2914	3255	3580	3892
15250	1799	2542	2919	3261	3587	3899
15300	1803	2547	2925	3267	3594	3906
15350	1806	2552	2930	3273	3600	3913
15400	1810	2557	2935	3279	3607	3920
15450	1813	2561	2941	3285	3613	3928
15500	1817	2566	2946	3291	3620	3935
15550	1820	2571	2951	3297	3626	3942
15600	1823	2576	2957	3303	3633	3949
15650	1827	2580	2962	3309	3639	3956
15700	1830	2585	2967	3315	3646	3963
15750	1834	2590	2973	3320	3653	3970
15800	1837	2595	2978	3326	3659	3977
15850	1841	2599	2983	3332	3666	3985
15900	1844	2604	2989	3338	3672	3992
15950	1848	2609	2994	3344	3679	3999
16000	1851	2614	2999	3350	3685	4006
16050	1854	2618	3005	3356	3692	4013
16100	1858	2623	3010	3362	3698	4020
16150	1861	2628	3015	3368	3705	4027
16200	1865	2633	3021	3374	3711	4034
16250	1868	2638	3026	3380	3718	4041
16300	1872	2642	3031	3386	3725	4049
16350	1875	2647	3037	3392	3731	4056
16400	1879	2652	3042	3398	3738	4063
16450	1882	2657	3047	3404	3744	4070
16500	1886	2661	3053	3410	3751	4077
16550	1889	2666	3058	3416	3757	4084
16600	1892	2671	3063	3422	3764	4091

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
16650	1896	2676	3069	3428	3770	4098
16700	1899	2680	3074	3434	3777	4106
16750	1903	2685	3079	3440	3783	4113
16800	1906	2690	3085	3445	3790	4120
16850	1910	2695	3090	3451	3797	4127
16900	1913	2699	3095	3457	3803	4134
16950	1917	2704	3101	3463	3810	4141
17000	1920	2709	3106	3469	3816	4148
17050	1923	2714	3111	3475	3823	4155
17100	1927	2718	3117	3481	3829	4162
17150	1930	2723	3122	3487	3836	4170
17200	1934	2728	3127	3493	3842	4177
17250	1937	2733	3133	3499	3849	4184
17300	1941	2737	3138	3505	3856	4191
17350	1944	2742	3143	3511	3862	4198
17400	1948	2747	3149	3517	3869	4205
17450	1951	2752	3154	3523	3875	4212
17500	1954	2756	3159	3529	3882	4219
17550	1958	2761	3165	3535	3888	4227
17600	1961	2766	3170	3541	3895	4234
17650	1965	2771	3175	3547	3901	4241
17700	1968	2775	3181	3553	3908	4248
17750	1972	2780	3186	3559	3914	4255
17800	1975	2785	3191	3565	3921	4262
17850	1979	2790	3197	3571	3928	4269
17900	1982	2794	3202	3576	3934	4276
17950	1986	2799	3207	3582	3941	4284
18000	1989	2804	3213	3588	3947	4291
18050	1992	2809	3218	3594	3954	4298
18100	1996	2814	3223	3600	3960	4305
18150	1999	2818	3229	3606	3967	4312
18200	2003	2823	3234	3612	3973	4319
18250	2006	2828	3239	3618	3980	4326
18300	2010	2833	3245	3624	3987	4333
18350	2013	2837	3250	3630	3993	4340
18400	2017	2842	3255	3636	4000	4348
18450	2020	2847	3260	3642	4006	4355
18500	2023	2852	3266	3648	4013	4362
18550	2027	2856	3271	3654	4019	4369
18600	2030	2861	3276	3660	4026	4376
18650	2034	2866	3282	3666	4032	4383
18700	2037	2871	3287	3672	4039	4390
18750	2041	2875	3292	3678	4045	4397
18800	2044	2880	3298	3684	4052	4405
18850	2048	2885	3303	3690	4059	4412

<i>Monthly Basic Child Support Schedule</i>						
<i>COMBINED ADJUSTED NET INCOME</i>	<i>ONE CHILD</i>	<i>TWO CHILDREN</i>	<i>THREE CHILDREN</i>	<i>FOUR CHILDREN</i>	<i>FIVE CHILDREN</i>	<i>SIX CHILDREN</i>
18900	2051	2890	3308	3696	4065	4419
18950	2055	2894	3314	3702	4072	4426
19000	2058	2899	3319	3707	4078	4433
19050	2061	2904	3324	3713	4085	4440
19100	2065	2909	3330	3719	4091	4447
19150	2068	2913	3335	3725	4098	4454
19200	2072	2918	3340	3731	4104	4461
19250	2075	2923	3346	3737	4111	4469
19300	2079	2928	3351	3743	4118	4476
19350	2082	2932	3356	3749	4124	4483
19400	2086	2937	3362	3755	4131	4490
19450	2089	2942	3367	3761	4137	4497
19500	2092	2947	3372	3767	4144	4504
19550	2096	2951	3378	3773	4150	4511
19600	2099	2956	3383	3779	4157	4518
19650	2103	2961	3388	3785	4163	4526
19700	2106	2966	3394	3791	4170	4533
19750	2110	2970	3399	3797	4176	4540
19800	2113	2975	3404	3803	4183	4547
19850	2117	2980	3410	3809	4190	4554
19900	2120	2985	3415	3815	4196	4561
19950	2123	2990	3420	3821	4203	4568
20000	2127	2994	3426	3827	4209	4575
20050	2130	2999	3431	3832	4216	4583
20100	2134	3004	3436	3838	4222	4590
20150	2137	3009	3442	3844	4229	4597
20200	2141	3013	3447	3850	4235	4604
20250	2144	3018	3452	3856	4242	4611
20300	2148	3023	3458	3862	4248	4618
20350	2151	3028	3463	3868	4255	4625
20400	2154	3031	3467	3873	4260	4630
20450	2157	3035	3471	3877	4265	4636
20500	2160	3039	3475	3881	4269	4641
20550	2164	3043	3479	3886	4274	4646
20600	2167	3047	3482	3890	4279	4651
20650	2170	3051	3486	3894	4284	4656
20700	2173	3055	3490	3899	4288	4661
20750	2176	3059	3494	3903	4293	4667
20800	2179	3063	3498	3907	4298	4672
20850	2182	3066	3502	3912	4303	4677
20900	2186	3070	3506	3916	4307	4682
20950	2189	3074	3510	3920	4312	4687
21000	2192	3078	3513	3924	4317	4692
21050	2195	3082	3517	3929	4322	4698
21100	2198	3086	3521	3933	4326	4703

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
21150	2201	3090	3525	3937	4331	4708
21200	2204	3094	3529	3942	4336	4713
21250	2207	3097	3533	3946	4341	4718
21300	2211	3101	3537	3950	4345	4724
21350	2214	3105	3541	3955	4350	4729
21400	2217	3109	3544	3959	4355	4734
21450	2220	3113	3548	3963	4360	4739
21500	2223	3117	3552	3968	4364	4744
21550	2226	3121	3556	3972	4369	4749
21600	2229	3125	3560	3976	4374	4755
21650	2233	3129	3564	3981	4379	4760
21700	2236	3132	3568	3985	4384	4765
21750	2239	3136	3571	3989	4388	4770
21800	2242	3140	3575	3994	4393	4775
21850	2245	3144	3579	3998	4398	4780
21900	2248	3148	3583	4002	4403	4786
21950	2251	3152	3587	4007	4407	4791
22000	2255	3156	3591	4011	4412	4796
22050	2258	3160	3595	4015	4417	4801
22100	2261	3163	3599	4020	4422	4806
22150	2264	3167	3602	4024	4426	4811
22200	2267	3171	3606	4028	4431	4817
22250	2270	3175	3610	4033	4436	4822
22300	2273	3179	3614	4037	4441	4827
22350	2276	3183	3618	4041	4445	4832
22400	2280	3187	3622	4046	4450	4837
22450	2283	3191	3626	4050	4455	4842
22500	2286	3195	3630	4054	4460	4848
22550	2289	3198	3633	4059	4464	4853
22600	2292	3202	3637	4063	4469	4858
22650	2295	3206	3641	4067	4474	4863
22700	2298	3210	3645	4071	4479	4868
22750	2302	3214	3649	4076	4483	4873
22800	2305	3218	3653	4080	4488	4879
22850	2308	3222	3657	4084	4493	4884
22900	2311	3226	3661	4089	4498	4889
22950	2314	3230	3664	4093	4502	4894
23000	2317	3233	3668	4097	4507	4899
23050	2320	3237	3672	4102	4512	4904
23100	2323	3241	3676	4106	4517	4910
23150	2327	3245	3680	4110	4521	4915
23200	2330	3249	3684	4115	4526	4920
23250	2333	3253	3688	4119	4531	4925
23300	2336	3257	3691	4123	4536	4930
23350	2339	3261	3695	4128	4540	4935

<i>Monthly Basic Child Support Schedule</i>						
<i>COMBINED ADJUSTED NET INCOME</i>	<i>ONE CHILD</i>	<i>TWO CHILDREN</i>	<i>THREE CHILDREN</i>	<i>FOUR CHILDREN</i>	<i>FIVE CHILDREN</i>	<i>SIX CHILDREN</i>
23400	2342	3264	3699	4132	4545	4941
23450	2345	3268	3703	4136	4550	4946
23500	2349	3272	3707	4141	4555	4951
23550	2352	3276	3711	4145	4559	4956
23600	2355	3280	3715	4149	4564	4961
23650	2358	3284	3719	4154	4569	4967
23700	2361	3288	3722	4158	4574	4972
23750	2364	3292	3726	4162	4579	4977
23800	2367	3296	3730	4167	4583	4982
23850	2370	3299	3734	4171	4588	4987
23900	2374	3303	3738	4175	4593	4992
23950	2377	3307	3742	4180	4598	4998
24000	2380	3311	3746	4184	4602	5003
24050	2383	3315	3750	4188	4607	5008
24100	2386	3319	3753	4193	4612	5013
24150	2389	3323	3757	4197	4617	5018
24200	2392	3327	3761	4201	4621	5023
24250	2396	3330	3765	4206	4626	5029
24300	2399	3334	3769	4210	4631	5034
24350	2402	3338	3773	4214	4636	5039
24400	2405	3342	3777	4219	4640	5044
24450	2408	3346	3781	4223	4645	5049
24500	2411	3350	3784	4227	4650	5054
24550	2414	3354	3788	4231	4655	5060
24600	2417	3358	3792	4236	4659	5065
24650	2421	3362	3796	4240	4664	5070
24700	2424	3365	3800	4244	4669	5075
24750	2427	3369	3804	4249	4674	5080
24800	2430	3373	3808	4253	4678	5085
24850	2433	3377	3811	4257	4683	5091
24900	2436	3381	3815	4262	4688	5096
24950	2439	3385	3819	4266	4693	5101
25000	2443	3389	3823	4270	4697	5106
25050	2446	3393	3827	4275	4702	5111
25100	2449	3396	3831	4279	4707	5116
25150	2452	3400	3835	4283	4712	5122
25200	2455	3404	3839	4288	4716	5127
25250	2458	3408	3842	4292	4721	5132
25300	2461	3412	3846	4296	4726	5137
25350	2465	3416	3850	4301	4731	5142
25400	2468	3420	3854	4305	4735	5147
25450	2471	3424	3858	4309	4740	5153
25500	2474	3428	3862	4314	4745	5158
25550	2477	3431	3866	4318	4750	5163
25600	2480	3435	3870	4322	4755	5168

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
25650	2483	3439	3873	4327	4759	5173
25700	2486	3443	3877	4331	4764	5178
25750	2490	3447	3881	4335	4769	5184
25800	2493	3451	3885	4340	4774	5189
25850	2496	3455	3889	4344	4778	5194
25900	2499	3459	3893	4348	4783	5199
25950	2502	3462	3897	4353	4788	5204
26000	2505	3466	3901	4357	4793	5210
26050	2508	3470	3904	4361	4797	5215
26100	2512	3474	3908	4366	4802	5220
26150	2515	3478	3912	4370	4807	5225
26200	2518	3482	3916	4374	4812	5230
26250	2521	3486	3920	4378	4816	5235
26300	2524	3490	3924	4383	4821	5241
26350	2527	3494	3928	4387	4826	5246
26400	2530	3497	3931	4391	4831	5251
26450	2533	3501	3935	4396	4835	5256
26500	2537	3505	3939	4400	4840	5261
26550	2540	3509	3943	4404	4845	5266
26600	2543	3513	3947	4409	4850	5272
26650	2546	3517	3951	4413	4854	5277
26700	2549	3521	3955	4417	4859	5282
26750	2552	3525	3959	4422	4864	5287
26800	2555	3529	3962	4426	4869	5292
26850	2559	3532	3966	4430	4873	5297
26900	2562	3536	3970	4435	4878	5303
26950	2565	3540	3974	4439	4883	5308
27000	2568	3544	3978	4443	4888	5313
27050	2571	3548	3982	4448	4892	5318
27100	2574	3552	3986	4452	4897	5323
27150	2577	3556	3990	4456	4902	5328
27200	2580	3560	3993	4461	4907	5334
27250	2584	3563	3997	4465	4911	5339
27300	2587	3567	4001	4469	4916	5344
27350	2590	3571	4005	4474	4921	5349
27400	2593	3575	4009	4478	4926	5354
27450	2596	3579	4013	4482	4930	5359
27500	2599	3583	4017	4487	4935	5365
27550	2602	3587	4021	4491	4940	5370
27600	2606	3591	4024	4495	4945	5375
27650	2609	3595	4028	4500	4950	5380
27700	2612	3598	4032	4504	4954	5385
27750	2615	3602	4036	4508	4959	5390
27800	2618	3606	4040	4513	4964	5396
27850	2621	3610	4044	4517	4969	5401

<i>Monthly Basic Child Support Schedule</i>						
<b>COMBINED ADJUSTED NET INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
27900	2624	3614	4048	4521	4973	5406
27950	2627	3618	4051	4526	4978	5411
28000	2631	3622	4055	4530	4983	5416
28050	2634	3626	4059	4534	4988	5421
28100	2637	3629	4063	4538	4992	5427
28150	2640	3633	4067	4543	4997	5432
28200	2643	3637	4071	4547	5002	5437
28250	2646	3641	4075	4551	5007	5442
28300	2649	3645	4079	4556	5011	5447
28350	2653	3649	4082	4560	5016	5453
28400	2656	3653	4086	4564	5021	5458
28450	2659	3657	4090	4569	5026	5463
28500	2662	3661	4094	4573	5030	5468
28550	2665	3664	4098	4577	5035	5473
28600	2668	3668	4102	4582	5040	5478
28650	2671	3672	4106	4586	5045	5484
28700	2675	3676	4110	4590	5049	5489
28750	2678	3680	4113	4595	5054	5494
28800	2681	3684	4117	4599	5059	5499
28850	2684	3688	4121	4603	5064	5504
28900	2687	3692	4125	4608	5068	5509
28950	2690	3695	4129	4612	5073	5515
29000	2693	3699	4133	4616	5078	5520
29050	2696	3703	4137	4621	5083	5525
29100	2700	3707	4141	4625	5087	5530
29150	2703	3711	4144	4629	5092	5535
29200	2706	3715	4148	4634	5097	5540
29250	2709	3719	4152	4638	5102	5546
29300	2712	3723	4156	4642	5106	5551
29350	2715	3727	4160	4647	5111	5556
29400	2718	3730	4164	4651	5116	5561
29450	2722	3734	4168	4655	5121	5566
29500	2725	3738	4171	4660	5126	5571
29550	2728	3742	4175	4664	5130	5577
29600	2731	3746	4179	4668	5135	5582
29650	2734	3750	4183	4673	5140	5587
29700	2737	3754	4187	4677	5145	5592
29750	2740	3758	4191	4681	5149	5597
29800	2743	3762	4195	4685	5154	5602
29850	2747	3765	4199	4690	5159	5608
29900	2750	3769	4202	4694	5164	5613
29950	2753	3773	4206	4698	5168	5618
30000	2756	3777	4210	4703	5173	5623]



<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
950	17	17	18	18	18	18
1000	62	63	64	64	65	66
1050	107	108	110	111	112	113
1100	152	154	156	157	159	161
1150	197	199	202	204	206	208
1200	242	245	248	250	253	256
1250	287	290	294	297	300	303
1300	313	336	340	343	347	351
1350	324	381	386	390	394	398
1400	336	427	432	436	441	446
1450	348	472	478	483	488	493
1500	360	518	524	529	535	541
1550	371	537	570	576	582	588
1600	383	554	616	622	629	636
1650	395	571	662	669	676	683
1700	406	587	690	715	723	731
1750	418	604	708	762	770	778
1800	429	620	727	808	817	826
1850	440	636	746	833	864	873
1900	452	652	765	854	911	921
1950	463	669	784	875	958	968
2000	474	685	803	897	986	1016
2050	486	701	821	918	1009	1063
2100	497	717	840	939	1032	1111
2150	509	733	859	960	1056	1147
2200	520	750	878	981	1079	1173
2250	531	766	897	1002	1102	1198
2300	543	782	916	1023	1125	1223
2350	554	798	934	1044	1148	1248
2400	565	815	953	1065	1171	1273
2450	577	831	973	1086	1195	1299
2500	588	848	992	1108	1219	1325
2550	600	865	1012	1130	1243	1352
2600	612	881	1032	1152	1268	1378
2650	623	898	1051	1174	1292	1404
2700	635	915	1071	1196	1316	1430
2750	646	931	1091	1218	1340	1457
2800	658	948	1110	1240	1364	1483
2850	669	965	1130	1262	1388	1509
2900	681	981	1150	1284	1412	1535
2950	692	998	1169	1306	1437	1562
3000	704	1015	1189	1328	1461	1588
3050	716	1032	1209	1350	1485	1614
3100	727	1048	1228	1372	1509	1640
3150	738	1065	1247	1393	1532	1666

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
3200	747	1077	1261	1408	1549	1684
3250	756	1089	1274	1423	1565	1701
3300	765	1101	1287	1438	1582	1719
3350	774	1113	1300	1453	1598	1737
3400	783	1125	1314	1468	1614	1755
3450	792	1137	1327	1482	1631	1772
3500	801	1149	1340	1497	1647	1790
3550	809	1161	1354	1512	1663	1808
3600	818	1173	1367	1527	1680	1826
3650	826	1184	1379	1540	1694	1841
3700	831	1192	1388	1551	1706	1854
3750	836	1200	1398	1562	1718	1867
3800	842	1208	1408	1572	1729	1880
3850	847	1216	1417	1583	1741	1893
3900	853	1224	1427	1594	1753	1906
3950	858	1232	1436	1604	1765	1918
4000	863	1240	1446	1615	1777	1931
4050	869	1248	1456	1626	1788	1944
4100	874	1256	1465	1637	1800	1957
4150	880	1264	1474	1647	1812	1969
4200	886	1272	1483	1657	1823	1981
4250	892	1280	1492	1667	1834	1993
4300	898	1288	1502	1677	1845	2005
4350	903	1296	1511	1687	1856	2018
4400	909	1304	1520	1697	1867	2030
4450	915	1312	1529	1708	1878	2042
4500	921	1320	1538	1718	1889	2054
4550	927	1328	1547	1728	1901	2066
4600	933	1336	1555	1737	1911	2078
4650	936	1340	1559	1742	1916	2083
4700	939	1344	1563	1746	1921	2088
4750	943	1348	1567	1750	1925	2093
4800	946	1352	1571	1754	1930	2098
4850	949	1356	1575	1759	1935	2103
4900	953	1360	1578	1763	1939	2108
4950	956	1364	1582	1767	1944	2113
5000	960	1369	1586	1772	1949	2118
5050	963	1373	1590	1776	1953	2123
5100	967	1378	1595	1781	1960	2130
5150	971	1384	1602	1789	1968	2139
5200	976	1390	1608	1797	1976	2148
5250	980	1396	1615	1804	1985	2157
5300	984	1402	1622	1812	1993	2167
5350	989	1408	1629	1820	2002	2176
5400	993	1414	1636	1827	2010	2185

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
5450	997	1420	1643	1835	2018	2194
5500	1002	1426	1650	1843	2027	2203
5550	1006	1432	1656	1850	2035	2212
5600	1011	1438	1663	1858	2044	2222
5650	1015	1444	1670	1866	2052	2231
5700	1019	1450	1677	1873	2061	2240
5750	1024	1456	1684	1881	2069	2249
5800	1028	1462	1691	1889	2077	2258
5850	1033	1469	1698	1897	2087	2268
5900	1038	1476	1706	1906	2096	2278
5950	1043	1483	1714	1914	2105	2289
6000	1048	1490	1721	1923	2115	2299
6050	1053	1497	1729	1931	2124	2309
6100	1058	1504	1736	1940	2134	2319
6150	1063	1511	1744	1948	2143	2329
6200	1069	1517	1752	1957	2152	2340
6250	1074	1524	1759	1965	2162	2350
6300	1079	1531	1767	1974	2171	2360
6350	1084	1538	1775	1982	2181	2370
6400	1089	1545	1782	1991	2190	2380
6450	1094	1552	1790	1999	2199	2391
6500	1099	1559	1798	2008	2209	2401
6550	1104	1566	1805	2017	2218	2411
6600	1109	1573	1813	2026	2228	2422
6650	1114	1580	1821	2034	2238	2433
6700	1119	1587	1829	2043	2248	2443
6750	1123	1593	1837	2052	2257	2454
6800	1128	1600	1845	2061	2267	2465
6850	1133	1607	1853	2070	2277	2475
6900	1138	1614	1861	2079	2287	2486
6950	1143	1621	1869	2088	2297	2497
7000	1148	1628	1877	2097	2306	2507
7050	1153	1635	1885	2106	2316	2518
7100	1158	1642	1893	2115	2326	2528
7150	1162	1649	1901	2124	2336	2539
7200	1167	1655	1909	2132	2346	2550
7250	1172	1662	1917	2141	2356	2560
7300	1177	1669	1924	2150	2365	2570
7350	1182	1676	1932	2158	2374	2580
7400	1187	1682	1939	2166	2383	2590
7450	1191	1689	1946	2174	2392	2600
7500	1196	1695	1954	2182	2401	2609
7550	1201	1702	1961	2191	2410	2619
7600	1206	1708	1968	2199	2419	2629
7650	1210	1715	1976	2207	2428	2639

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
7700	1215	1722	1983	2215	2437	2649
7750	1220	1728	1990	2223	2446	2658
7800	1225	1735	1998	2231	2455	2668
7850	1230	1741	2005	2240	2464	2678
7900	1234	1748	2012	2248	2473	2688
7950	1239	1754	2020	2256	2482	2697
8000	1244	1761	2027	2264	2491	2707
8050	1249	1768	2034	2272	2500	2717
8100	1254	1774	2042	2281	2509	2727
8150	1258	1781	2049	2289	2518	2737
8200	1263	1787	2056	2297	2527	2746
8250	1268	1794	2064	2306	2536	2757
8300	1273	1801	2072	2315	2546	2768
8350	1278	1808	2081	2324	2556	2779
8400	1283	1815	2089	2333	2567	2790
8450	1287	1822	2097	2343	2577	2801
8500	1292	1829	2105	2352	2587	2812
8550	1297	1836	2114	2361	2597	2823
8600	1302	1843	2122	2370	2607	2834
8650	1307	1850	2130	2379	2617	2845
8700	1312	1857	2138	2389	2628	2856
8750	1317	1864	2147	2398	2638	2867
8800	1321	1871	2155	2407	2648	2878
8850	1326	1878	2163	2416	2658	2889
8900	1331	1885	2172	2426	2668	2900
8950	1336	1892	2180	2435	2678	2911
9000	1341	1899	2188	2444	2688	2922
9050	1346	1906	2196	2453	2699	2933
9100	1350	1913	2205	2463	2709	2944
9150	1355	1920	2213	2472	2719	2956
9200	1360	1927	2220	2480	2728	2966
9250	1362	1930	2224	2485	2733	2971
9300	1365	1934	2228	2489	2738	2976
9350	1367	1937	2232	2493	2742	2981
9400	1370	1940	2236	2497	2747	2986
9450	1372	1944	2239	2501	2752	2991
9500	1375	1947	2243	2506	2756	2996
9550	1377	1951	2247	2510	2761	3001
9600	1380	1954	2251	2514	2766	3006
9650	1382	1958	2255	2518	2770	3011
9700	1385	1961	2258	2523	2775	3016
9750	1387	1964	2262	2527	2780	3021
9800	1389	1968	2266	2531	2784	3027
9850	1392	1971	2270	2535	2789	3032
9900	1394	1975	2274	2540	2794	3037

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
9950	1397	1978	2277	2544	2798	3042
10000	1399	1981	2281	2548	2803	3047
10050	1402	1985	2285	2552	2808	3052
10100	1404	1988	2289	2557	2812	3057
10150	1407	1992	2293	2561	2817	3062
10200	1410	1997	2298	2567	2824	3070
10250	1415	2002	2304	2574	2831	3078
10300	1419	2008	2310	2581	2839	3086
10350	1423	2013	2316	2587	2846	3094
10400	1427	2019	2323	2594	2854	3102
10450	1431	2024	2329	2601	2861	3110
10500	1435	2030	2335	2608	2869	3118
10550	1439	2035	2341	2615	2876	3126
10600	1443	2041	2347	2621	2884	3134
10650	1447	2046	2353	2628	2891	3143
10700	1451	2052	2359	2635	2898	3151
10750	1456	2057	2365	2642	2906	3159
10800	1460	2063	2371	2649	2913	3167
10850	1464	2068	2377	2655	2921	3175
10900	1468	2074	2383	2662	2928	3183
10950	1472	2079	2389	2669	2936	3191
11000	1476	2085	2395	2676	2943	3199
11050	1480	2090	2402	2683	2951	3207
11100	1484	2096	2408	2689	2958	3216
11150	1488	2101	2414	2696	2966	3224
11200	1492	2107	2420	2703	2973	3232
11250	1496	2112	2426	2710	2981	3240
11300	1501	2118	2432	2716	2988	3248
11350	1505	2123	2438	2723	2996	3256
11400	1509	2130	2445	2731	3004	3265
11450	1514	2136	2452	2739	3013	3275
11500	1518	2142	2460	2747	3022	3285
11550	1523	2149	2467	2756	3031	3295
11600	1527	2155	2474	2764	3040	3305
11650	1532	2162	2482	2772	3049	3315
11700	1536	2168	2489	2780	3058	3324
11750	1541	2174	2496	2788	3067	3334
11800	1545	2181	2504	2797	3076	3344
11850	1550	2187	2511	2805	3085	3354
11900	1554	2194	2519	2813	3094	3364
11950	1559	2200	2526	2821	3104	3374
12000	1563	2206	2533	2830	3113	3383
12050	1568	2213	2541	2838	3122	3393
12100	1572	2219	2548	2846	3131	3403
12150	1577	2226	2555	2854	3140	3413

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
12200	1581	2232	2563	2863	3149	3423
12250	1586	2238	2570	2871	3158	3433
12300	1591	2245	2577	2879	3167	3442
12350	1595	2251	2585	2887	3176	3452
12400	1600	2258	2592	2895	3185	3462
12450	1604	2264	2600	2904	3194	3472
12500	1609	2271	2607	2912	3203	3482
12550	1613	2277	2614	2920	3212	3492
12600	1618	2283	2622	2928	3221	3501
12650	1622	2290	2629	2937	3230	3511
12700	1627	2296	2636	2945	3239	3521
12750	1631	2303	2644	2953	3248	3531
12800	1636	2309	2651	2961	3257	3541
12850	1640	2315	2658	2969	3266	3551
12900	1645	2322	2666	2978	3275	3560
12950	1649	2328	2673	2986	3285	3570
13000	1654	2335	2681	2994	3294	3580
13050	1658	2341	2688	3002	3303	3590
13100	1663	2347	2695	3011	3312	3600
13150	1668	2354	2703	3019	3321	3610
13200	1672	2360	2710	3027	3330	3619
13250	1677	2367	2717	3035	3339	3629
13300	1681	2373	2725	3044	3348	3639
13350	1685	2378	2730	3050	3355	3646
13400	1688	2383	2735	3055	3361	3653
13450	1691	2387	2741	3061	3367	3660
13500	1695	2392	2746	3067	3374	3667
13550	1698	2397	2751	3073	3380	3674
13600	1702	2401	2756	3079	3386	3681
13650	1705	2406	2761	3084	3393	3688
13700	1708	2411	2767	3090	3399	3695
13750	1712	2415	2772	3096	3406	3702
13800	1715	2420	2777	3102	3412	3709
13850	1718	2424	2782	3108	3418	3716
13900	1722	2429	2787	3113	3425	3723
13950	1725	2434	2793	3119	3431	3730
14000	1729	2438	2798	3125	3438	3737
14050	1732	2443	2803	3131	3444	3744
14100	1735	2448	2808	3137	3450	3751
14150	1739	2452	2813	3143	3457	3758
14200	1742	2457	2819	3148	3463	3764
14250	1746	2462	2824	3154	3470	3771
14300	1749	2466	2829	3160	3476	3778
14350	1752	2471	2834	3166	3482	3785
14400	1756	2476	2839	3172	3489	3792

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
14450	1759	2480	2845	3177	3495	3799
14500	1763	2485	2850	3183	3502	3806
14550	1766	2490	2855	3189	3508	3813
14600	1769	2494	2860	3195	3514	3820
14650	1773	2499	2865	3201	3521	3827
14700	1776	2504	2871	3206	3527	3834
14750	1779	2508	2876	3212	3533	3841
14800	1783	2513	2881	3218	3540	3848
14850	1786	2518	2886	3224	3546	3855
14900	1790	2522	2891	3230	3553	3862
14950	1793	2527	2897	3235	3559	3869
15000	1796	2532	2902	3241	3565	3876
15050	1800	2536	2907	3247	3572	3883
15100	1803	2541	2912	3253	3578	3890
15150	1807	2546	2917	3259	3585	3896
15200	1810	2550	2923	3265	3591	3903
15250	1813	2555	2928	3270	3597	3910
15300	1817	2559	2933	3276	3604	3917
15350	1820	2564	2938	3282	3610	3924
15400	1823	2569	2943	3288	3617	3931
15450	1827	2573	2949	3294	3623	3938
15500	1830	2578	2954	3299	3629	3945
15550	1834	2583	2959	3305	3636	3952
15600	1837	2587	2964	3311	3642	3959
15650	1840	2592	2969	3317	3649	3966
15700	1844	2597	2975	3323	3655	3973
15750	1847	2601	2980	3328	3661	3980
15800	1851	2606	2985	3334	3668	3987
15850	1854	2611	2990	3340	3674	3994
15900	1857	2615	2995	3346	3680	4001
15950	1861	2620	3001	3352	3687	4008
16000	1864	2625	3006	3357	3693	4015
16050	1868	2629	3011	3363	3700	4022
16100	1871	2634	3016	3369	3706	4028
16150	1874	2639	3021	3375	3712	4035
16200	1878	2643	3027	3381	3719	4042
16250	1881	2648	3032	3387	3725	4049
16300	1884	2653	3037	3392	3732	4056
16350	1888	2657	3042	3398	3738	4063
16400	1891	2662	3047	3404	3744	4070
16450	1895	2667	3053	3410	3751	4077
16500	1898	2671	3058	3416	3757	4084
16550	1901	2676	3063	3421	3764	4091
16600	1905	2681	3068	3427	3770	4098
16650	1908	2685	3073	3433	3776	4105

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
16700	1912	2690	3079	3439	3783	4112
16750	1915	2694	3084	3445	3789	4119
16800	1918	2699	3089	3450	3795	4126
16850	1922	2704	3094	3456	3802	4133
16900	1925	2708	3099	3462	3808	4140
16950	1928	2713	3105	3468	3815	4147
17000	1932	2718	3110	3474	3821	4153
17050	1935	2722	3115	3480	3827	4160
17100	1939	2727	3120	3485	3834	4167
17150	1942	2732	3125	3491	3840	4174
17200	1945	2736	3131	3497	3847	4181
17250	1949	2741	3136	3503	3853	4188
17300	1952	2746	3141	3509	3859	4195
17350	1956	2750	3146	3514	3866	4202
17400	1959	2755	3151	3520	3872	4209
17450	1962	2760	3157	3526	3879	4216
17500	1966	2764	3162	3532	3885	4223
17550	1969	2769	3167	3538	3891	4230
17600	1973	2774	3172	3543	3898	4237
17650	1976	2778	3177	3549	3904	4244
17700	1979	2783	3183	3555	3911	4251
17750	1983	2788	3188	3561	3917	4258
17800	1986	2792	3193	3567	3923	4265
17850	1989	2797	3198	3572	3930	4272
17900	1993	2802	3203	3578	3936	4279
17950	1996	2806	3209	3584	3942	4285
18000	2000	2811	3214	3590	3949	4292
18050	2003	2816	3219	3596	3955	4299
18100	2006	2820	3224	3602	3962	4306
18150	2010	2825	3229	3607	3968	4313
18200	2013	2829	3235	3613	3974	4320
18250	2017	2834	3240	3619	3981	4327
18300	2020	2839	3245	3625	3987	4334
18350	2023	2843	3250	3631	3994	4341
18400	2027	2848	3255	3636	4000	4348
18450	2030	2853	3261	3642	4006	4355
18500	2033	2857	3266	3648	4013	4362
18550	2037	2862	3271	3654	4019	4369
18600	2040	2867	3276	3660	4026	4376
18650	2044	2871	3281	3665	4032	4383
18700	2047	2876	3287	3671	4038	4390
18750	2050	2881	3292	3677	4045	4397
18800	2054	2885	3297	3683	4051	4404
18850	2057	2890	3302	3689	4058	4411
18900	2061	2895	3307	3694	4064	4417



<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
18950	2064	2899	3313	3700	4070	4424
19000	2067	2904	3318	3706	4077	4431
19050	2071	2909	3323	3712	4083	4438
19100	2074	2913	3328	3718	4089	4445
19150	2078	2918	3333	3724	4096	4452
19200	2081	2923	3339	3729	4102	4459
19250	2084	2927	3344	3735	4109	4466
19300	2088	2932	3349	3741	4115	4473
19350	2091	2937	3354	3747	4121	4480
19400	2094	2941	3360	3753	4128	4487
19450	2098	2946	3365	3758	4134	4494
19500	2101	2951	3370	3764	4141	4501
19550	2105	2955	3375	3770	4147	4508
19600	2108	2960	3380	3776	4153	4515
19650	2111	2964	3386	3782	4160	4522
19700	2115	2969	3391	3787	4166	4529
19750	2118	2974	3396	3793	4173	4536
19800	2122	2978	3401	3799	4179	4543
19850	2125	2983	3406	3805	4185	4549
19900	2128	2988	3412	3811	4192	4556
19950	2132	2992	3417	3816	4198	4563
20000	2135	2997	3422	3822	4205	4570
20050	2138	3002	3427	3828	4211	4577
20100	2142	3006	3432	3834	4217	4584
20150	2145	3011	3438	3840	4224	4591
20200	2149	3016	3443	3846	4230	4598
20250	2152	3020	3448	3851	4236	4605
20300	2155	3025	3453	3857	4243	4612
20350	2159	3030	3458	3863	4249	4619
20400	2162	3034	3464	3869	4256	4626
20450	2166	3039	3469	3875	4262	4633
20500	2169	3044	3474	3880	4268	4640
20550	2172	3048	3479	3886	4275	4647
20600	2176	3053	3484	3892	4281	4654
20650	2179	3058	3490	3898	4288	4661
20700	2183	3062	3495	3904	4294	4668
20750	2186	3067	3500	3909	4300	4675
20800	2189	3072	3505	3915	4307	4681
20850	2193	3076	3510	3921	4313	4688
20900	2196	3081	3516	3927	4320	4695
20950	2199	3086	3521	3933	4326	4702
21000	2203	3090	3526	3938	4332	4709
21050	2206	3095	3531	3944	4339	4716
21100	2210	3099	3536	3950	4345	4723
21150	2213	3104	3542	3956	4352	4730

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
21200	2216	3109	3547	3962	4358	4737
21250	2220	3113	3552	3968	4364	4744
21300	2223	3118	3557	3973	4371	4751
21350	2227	3123	3562	3979	4377	4758
21400	2230	3127	3568	3985	4383	4765
21450	2233	3132	3573	3991	4390	4772
21500	2237	3137	3578	3997	4396	4779
21550	2240	3141	3583	4002	4403	4786
21600	2243	3146	3588	4008	4409	4793
21650	2247	3150	3593	4013	4415	4799
21700	2250	3155	3597	4017	4419	4804
21750	2253	3159	3601	4022	4424	4809
21800	2257	3163	3605	4026	4428	4814
21850	2260	3167	3609	4030	4433	4819
21900	2263	3171	3613	4034	4438	4824
21950	2267	3175	3618	4039	4442	4829
22000	2270	3179	3622	4043	4447	4834
22050	2273	3183	3626	4047	4452	4839
22100	2277	3187	3630	4051	4456	4844
22150	2280	3191	3634	4055	4461	4849
22200	2283	3196	3638	4060	4466	4854
22250	2287	3200	3642	4064	4470	4859
22300	2290	3204	3646	4068	4475	4864
22350	2293	3208	3650	4072	4480	4869
22400	2297	3212	3654	4077	4484	4874
22450	2300	3216	3659	4081	4489	4879
22500	2303	3220	3663	4085	4493	4884
22550	2307	3224	3667	4089	4498	4889
22600	2310	3228	3671	4093	4503	4894
22650	2313	3233	3675	4098	4507	4900
22700	2316	3237	3679	4102	4512	4905
22750	2320	3241	3683	4106	4517	4910
22800	2323	3245	3687	4110	4521	4915
22850	2326	3249	3691	4114	4526	4920
22900	2330	3253	3695	4119	4531	4925
22950	2333	3257	3700	4123	4535	4930
23000	2336	3261	3704	4127	4540	4935
23050	2340	3265	3708	4131	4544	4940
23100	2343	3269	3712	4136	4549	4945
23150	2346	3274	3716	4140	4554	4950
23200	2350	3278	3720	4144	4558	4955
23250	2353	3282	3724	4148	4563	4960
23300	2356	3286	3728	4152	4568	4965
23350	2360	3290	3732	4157	4572	4970
23400	2363	3294	3736	4161	4577	4975

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
23450	2366	3298	3740	4165	4582	4980
23500	2370	3302	3745	4169	4586	4985
23550	2373	3306	3749	4174	4591	4990
23600	2376	3311	3753	4178	4596	4995
23650	2380	3315	3757	4182	4600	5000
23700	2383	3319	3761	4186	4605	5005
23750	2386	3323	3765	4190	4609	5010
23800	2389	3327	3769	4195	4614	5016
23850	2393	3331	3773	4199	4619	5021
23900	2396	3335	3777	4203	4623	5026
23950	2399	3339	3781	4207	4628	5031
24000	2403	3343	3786	4212	4633	5036
24050	2406	3347	3790	4216	4637	5041
24100	2409	3352	3794	4220	4642	5046
24150	2413	3356	3798	4224	4647	5051
24200	2416	3360	3802	4228	4651	5056
24250	2419	3364	3806	4233	4656	5061
24300	2423	3368	3810	4237	4661	5066
24350	2426	3372	3814	4241	4665	5071
24400	2429	3376	3818	4245	4670	5076
24450	2433	3380	3822	4250	4674	5081
24500	2436	3384	3827	4254	4679	5086
24550	2439	3389	3831	4258	4684	5091
24600	2443	3393	3835	4262	4688	5096
24650	2446	3397	3839	4266	4693	5101
24700	2449	3401	3843	4271	4698	5106
24750	2452	3405	3847	4275	4702	5111
24800	2456	3409	3851	4279	4707	5116
24850	2459	3413	3855	4283	4712	5121
24900	2462	3417	3859	4287	4716	5127
24950	2466	3421	3863	4292	4721	5132
25000	2469	3425	3867	4296	4726	5137
25050	2472	3430	3872	4300	4730	5142
25100	2476	3434	3876	4304	4735	5147
25150	2479	3438	3880	4309	4739	5152
25200	2482	3442	3884	4313	4744	5157
25250	2486	3446	3888	4317	4749	5162
25300	2489	3450	3892	4321	4753	5167
25350	2492	3454	3896	4325	4758	5172
25400	2496	3458	3900	4330	4763	5177
25450	2499	3462	3904	4334	4767	5182
25500	2502	3467	3908	4338	4772	5187
25550	2506	3471	3913	4342	4777	5192
25600	2509	3475	3917	4347	4781	5197
25650	2512	3479	3921	4351	4786	5202

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
25700	2515	3483	3925	4355	4790	5207
25750	2519	3487	3929	4359	4795	5212
25800	2522	3491	3933	4363	4800	5217
25850	2525	3495	3937	4368	4804	5222
25900	2529	3499	3941	4372	4809	5227
25950	2532	3503	3945	4376	4814	5232
26000	2535	3508	3949	4380	4818	5238
26050	2539	3512	3954	4385	4823	5243
26100	2542	3516	3958	4389	4828	5248
26150	2545	3520	3962	4393	4832	5253
26200	2549	3524	3966	4397	4837	5258
26250	2552	3528	3970	4401	4842	5263
26300	2555	3532	3974	4406	4846	5268
26350	2559	3536	3978	4410	4851	5273
26400	2562	3540	3982	4414	4855	5278
26450	2565	3545	3986	4418	4860	5283
26500	2569	3549	3990	4423	4865	5288
26550	2572	3553	3994	4427	4869	5293
26600	2575	3557	3999	4431	4874	5298
26650	2579	3561	4003	4435	4879	5303
26700	2582	3565	4007	4439	4883	5308
26750	2585	3569	4011	4444	4888	5313
26800	2588	3573	4015	4448	4893	5318
26850	2592	3577	4019	4452	4897	5323
26900	2595	3581	4023	4456	4902	5328
26950	2598	3586	4027	4460	4907	5333
27000	2602	3590	4031	4465	4911	5338
27050	2605	3594	4035	4469	4916	5343
27100	2608	3598	4040	4473	4920	5349
27150	2612	3602	4044	4477	4925	5354
27200	2615	3606	4048	4482	4930	5359
27250	2618	3610	4052	4486	4934	5364
27300	2622	3614	4056	4490	4939	5369
27350	2625	3618	4060	4494	4944	5374
27400	2628	3623	4064	4498	4948	5379
27450	2632	3627	4068	4503	4953	5384
27500	2635	3631	4072	4507	4958	5389
27550	2638	3635	4076	4511	4962	5394
27600	2642	3639	4081	4515	4967	5399
27650	2645	3643	4085	4520	4972	5404
27700	2648	3647	4089	4524	4976	5409
27750	2651	3651	4093	4528	4981	5414
27800	2655	3655	4097	4532	4985	5419
27850	2658	3659	4101	4536	4990	5424
27900	2661	3664	4105	4541	4995	5429

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
27950	2665	3668	4109	4545	4999	5434
28000	2668	3672	4113	4549	5004	5439
28050	2671	3676	4117	4553	5009	5444
28100	2675	3680	4121	4558	5013	5449
28150	2678	3684	4126	4562	5018	5454
28200	2681	3688	4130	4566	5023	5460
28250	2685	3692	4134	4570	5027	5465
28300	2688	3696	4138	4574	5032	5470
28350	2691	3701	4142	4579	5036	5475
28400	2695	3705	4146	4583	5041	5480
28450	2698	3709	4150	4587	5046	5485
28500	2701	3713	4154	4591	5050	5490
28550	2705	3717	4158	4595	5055	5495
28600	2708	3721	4162	4600	5060	5500
28650	2711	3725	4167	4604	5064	5505
28700	2715	3729	4171	4608	5069	5510
28750	2718	3733	4175	4612	5074	5515
28800	2721	3737	4179	4617	5078	5520
28850	2724	3742	4183	4621	5083	5525
28900	2728	3746	4187	4625	5088	5530
28950	2731	3750	4191	4629	5092	5535
29000	2734	3754	4195	4633	5097	5540
29050	2738	3758	4199	4638	5101	5545
29100	2741	3762	4203	4642	5106	5550
29150	2744	3766	4207	4646	5111	5555
29200	2748	3770	4212	4650	5115	5560
29250	2751	3774	4216	4655	5120	5565
29300	2754	3779	4220	4659	5125	5571
29350	2758	3783	4224	4663	5129	5576
29400	2761	3787	4228	4667	5134	5581
29450	2764	3791	4232	4671	5139	5586
29500	2768	3795	4236	4676	5143	5591
29550	2771	3799	4240	4680	5148	5596
29600	2774	3803	4244	4684	5153	5601
29650	2778	3807	4248	4688	5157	5606
29700	2781	3811	4253	4693	5162	5611
29750	2784	3816	4257	4697	5166	5616
29800	2787	3820	4261	4701	5171	5621
29850	2791	3824	4265	4705	5176	5626
29900	2794	3828	4269	4709	5180	5631
29950	2797	3832	4273	4714	5185	5636
30000	2801	3836	4277	4718	5190	5641

**Explanatory Comment—2010**

The basic child support schedule has been amended to reflect updated economic data. The schedule has been expanded to include all cases in which the parties' combined net monthly income is \$30,000 or less. It also reflects an increase in the Self-Support Reserve to \$867, the 2008 poverty level for one person. The schedule was further adjusted to incorporate an assumption that the children spend 30% of the time with the obligor.

**Explanatory Comment—2013**

**The basic child support schedule has been amended to reflect updated economic data. It also reflects an increase in the Self-Support Reserve to \$931, the 2012 poverty level for one person, which has been incorporated into the schedule.**

**Rule 1910.16-3.1. Support Guidelines. High Income Cases.**

(a) *Child Support Formula.* When the parties' combined monthly net income is above \$30,000, the following three-step process shall be applied to calculate the parties' respective child support obligations. The amount of support calculated pursuant to this three-step process shall in no event be less than the amount of support that would have been awarded if the parties' combined net monthly income were \$30,000. That amount shall be a presumptive minimum.

(1) First, the following formula shall be applied as a preliminary analysis in calculating the amount of basic child support to be apportioned between the parties according to their respective incomes:

One child:	[ \$2,756 + 6.5% ] \$2,801 + 8.5% of combined net income above \$30,000 per month.
Two children:	[ \$3,777 + 8.0% ] \$3,836 + 11.6% of combined net income above \$30,000 per month.
Three children:	[ \$4,210 + 9.2% ] \$4,277 + 12.6% of combined net income above \$30,000 per month.
Four children:	[ \$4,703 + 10.3% ] \$4,718 + 14.3% of combined net income above \$30,000 per month.
Five children:	[ \$5,173 + 11.3% ] \$5,190 + 15.8% of combined net income above \$30,000 per month.
Six children:	[ \$5,623 + 12.3% ] \$5,641 + 17.1% of combined net income above \$30,000 per month;
	* * * * *

**Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation, Formula.**

\* \* \* \* \*

(c) *Substantial or Shared Physical Custody.*

(1) When the children spend 40% or more of their time during the year with the obligor, a rebuttable presumption arises that the obligor is entitled to a reduction in the basic support obligation to reflect this time. This rebuttable presumption also applies in high income cases decided pursuant to Rule 1910.16-3.1. Except as provided in subsections (2) and (3) below, the reduction shall be calculated pursuant to the formula set forth in Part II of subdivision (a) of this rule. For purposes of this provision,

the time spent with the children shall be determined by the number of overnights they spend during the year with the obligor.

*Example.* Where the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300 respectively, their combined child support obligation is [ \$1,663 ] \$1,669 for two children. Using the income shares formula in Part I, the obligor's share of this obligation is 68%, or [ \$1,131 ] \$1,135. If the children spend 40% of their time with the obligor, the formula in Part II applies to reduce his or her percentage share of the combined support obligation to 58%, or [ \$965 ] \$968. If the children spend 45% of their time with the obligor, his or her percentage share of the combined obligation is reduced to 53%, or [ \$881 ] \$885. If the children spend equal time with both parents, the obligor's percentage share is reduced to 48%, or [ \$798 ] \$801.

(2) Without regard to which parent initiated the support action, when the children spend equal time with both parents, the Part II formula cannot be applied unless the obligor is the parent with the higher income. In no event shall an order be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, nothing in this subdivision shall prevent the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Rule 1910.16-6. Pursuant to either party's initiating a support action, the trier of fact may enter an order against either party based upon the evidence presented without regard to which party initiated the action. [ **If application of the formula in Part II** ] In all cases in which the parties share custody equally and the support calculation results in the obligee receiving a larger share of the parties' combined income [ **in cases in which the parties share custody equally** ], then the court shall adjust the support obligation so that the combined income is allocated equally between the two households. In those cases, no spousal support or alimony pendente lite shall be awarded.

*Example 1.* Mother and Father have monthly net incomes of \$3,000 and \$2,700 respectively. Mother has filed for support for the parties' two children with whom they share time equally. Pursuant to the [ **Basic Child Support Schedule** ] basic child support schedule at Rule 1910.16-3, the support amount for two children at their parents' combined net income level is [ \$1,440 ] \$1,450 per month. Mother's share is 53% of that amount, or [ \$763 ] \$769. Father's share is 47%, or [ \$677 ] \$682. Application of subdivisions a. and b. of the Part II formula results in a 20% reduction in support when each parent spends 50% of the time with the children. Because the parties share custody equally, Mother cannot be the obligee for purposes of the Part II calculation because she has the higher income of the two parents. In these circumstances, although Mother initiated the support action, she would become the obligor even if Father has not filed for support. Father cannot be an obligor in the Part II calculations nor can the amount of support Mother is obligated to pay to Father be offset by calculating Father's adjusted amount of support under Part II because a support order cannot be entered against the parent with the lesser income. Using Mother as the obligor, her adjusted percentage share of the basic support amount is 33% (53%-20%=33%). Her adjusted share of the basic support amount is [ \$475 ] \$479 (33% of [ \$1,440 ] \$1,450). However, instead of [ \$475 ] \$479 per

month, Mother's support obligation would be adjusted to \$150 per month to allocate the parties' combined income equally between the two households. This is the presumptive amount of basic support payable to Father under these circumstances.

*Example 2.* Where the obligor and the obligee have monthly net incomes of \$3,000 and \$2,500 respectively, their combined child support obligation for two children is [ \$1,412 ] \$1,426. The obligor's share of this obligation is 55%, or [ \$777 ] \$784. If the children spend equal time with both parents, the formula in Part II results in a support obligation of [ \$494 ] \$499 payable to the obligee. Since this amount gives the obligee [ \$2,994 ] \$2,999 of the combined income, and leaves the obligor with only [ \$2,506 ] \$2,501 of the combined income, the obligor's support obligation must be adjusted to \$250 to equalize the combined income between the parties' households. This is the presumptive amount of basic support payable to the obligee under these circumstances.

**[ (3) Reductions for substantial or shared custody shall not apply when the obligor's income falls within the shaded area of the schedule in Rule 1910.16-3 or when the obligee's income is 10% or less of the parties' combined income. ]**

(d) *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children. Varied Custodial Schedules.*

(1) *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children.* When calculating a child support obligation, and one or more of the children reside primarily with each party, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support. For example, if the parties have three children, one of whom resides with Father and two of whom reside with Mother, and their net monthly incomes are \$2,500 and \$1,250 respectively, Father's child support obligation is calculated as follows. Using the schedule in Rule 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is [ \$1,190 ] \$1,200. As Father's income is 67% of the parties' combined net monthly income, Father's support obligation for the two children living with Mother is [ \$797 ] \$804. Using the schedule in Rule 1910.16-3 for one child, Mother's support obligation for the child living with Father is [ \$273 ] \$276. Subtracting [ \$273 ] \$276 from [ \$797 ] \$804 produces a net basic support amount of [ \$524 ] \$528 payable to Mother as child support.

\* \* \* \* \*

(f) *Allocation. Consequences.*

(1) An order awarding both spousal and child support may be unallocated or state the amount of support allocable to the spouse and the amount allocable to each child. **Each order shall clearly state whether it is allocated or unallocated even if the amounts calculated for child and spousal support are delineated on the order.** However, Part IV of the formula provided by these rules assumes that an order will be unallocated. Therefore, if the order is to be allocated, the formula set forth in this rule shall be utilized to determine the amount of support allocable to the spouse. If allocation of an order utilizing the formula would be inequitable, the court shall make an appropriate adjustment. Also, if an order is to be allocated, an adjustment shall be made to

the award giving consideration to the federal income tax consequences of an allocated order as may be appropriate under the circumstances. No consideration of federal income tax consequences shall be applied if the order is unallocated or the order for the spousal support or alimony pendente lite only.

\* \* \* \* \*

**Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation. Allocation of Additional Expenses.**

Additional expenses permitted pursuant to this Rule 1910.16-6 may be allocated between the parties even if the parties' incomes do not justify an order of basic support.

(a) *Child care expenses.* Reasonable child care expenses paid by either parent, if necessary to maintain employment or appropriate education in pursuit of income, shall be allocated between the parties in proportion to their net incomes and added to his and her basic support obligation. When a parent is receiving a child care subsidy through the Department of Public Welfare, the expenses to be allocated between the parties shall be the [ full unsubsidized cost of the child care, not just the ] amount actually paid by the parent receiving the subsidy. **[ However, if allocation of the unsubsidized amount would result in a support order that is overly burdensome to the obligor, deviation pursuant to Rule 1910.16-5 is warranted. ]**

*Example.* Mother has primary custody of the parties' two children and Father has partial custody. Mother's monthly net income is \$2,000 and Father's is \$3,500. At their combined income level of \$5,500, the basic monthly child support from the schedule in Rule 1910.16-3 is [ \$1,412 ] \$1,426 for two children. As Father's income is 64% of the parties' combined income, his share is [ \$904 ] \$913. Mother incurs child care expenses of \$400 per month and Father incurs \$100 of such expenses each month. The total amount of child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As he is already paying \$100 for child care while the children are in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of [ \$1,124 ] \$1,133 ([ \$904 ] \$913 + \$220 = [ \$1,124 ] \$1,133).

(1) Except as provided in subsection (2), the total child care expenses shall be reduced to reflect the amount of the federal child care tax credit available to the eligible parent, whether or not the credit is actually claimed by that parent, up to the maximum annual cost allowable under the Internal Revenue Code.

(2) The federal child care tax credit shall not be used to reduce the child care expenses subject to allocation between the parties if the eligible parent is not qualified to receive the credit.

**[ Official Note: A child care subsidy provided by the Department of Public Welfare should not be used to reduce the child care expenses subject to allocation between the parties to the extent that the obligor has the financial resources to contribute to the actual costs of child care. Nor is it appropriate to order the obligee to seek a child care subsidy in order to reduce the obligor's share of child care expenses if the obligor has the financial ability to contribute to those expenses. While public policy requires that parents, rather than**

taxpayers, pay for their children's child care when they are able to do so, allocation of the full unsubsidized cost of child care may result in a support order that is overly burdensome to the obligor. In those circumstances, in addition to considering deviation to relieve the burden on the obligor, the trier of fact also has the discretion to determine whether or not to include in the order other adjustments under Rule 1910.16-6, such as a mortgage contribution, which are not mandatory. No adjustment to the basic support amount shall be permitted if such would cause the obligor's remaining net monthly income to fall below the Self-Support Reserve of \$867. Implicit in the rule requiring apportionment of the unsubsidized cost of child care is recognition of the duty of the subsidy recipient to report any additional income pursuant to Department of Public Welfare regulations so that adjustments can be made to entitlements accordingly. ]

(b) *Health Insurance Premiums.*

\* \* \* \* \*

#### **Rule 1910.16-7. Support Guidelines. Awards of Child Support When There are Multiple Families.**

(a) When the total of the obligor's basic child support obligations equals fifty percent or less of his or her monthly net income, there will generally be no deviation from the guideline amount of support on the ground of the existence of a new family. For example, where the obligor requests a reduction of support for one child of the first marriage on the basis that there is a new child of the second intact marriage, and the relevant monthly net incomes are \$2,500 for the obligor, \$500 for the former spouse and \$1,300 for the current spouse, the request for a reduction will be denied because the total support obligation of \$1,141 (\$593 for the first child and \$548 for the second child) is less than half of the obligor's monthly net income.

(b) When the total of the obligor's basic support obligations exceeds fifty percent of his or her monthly net income, the court may consider a proportional reduction of these obligations. Since, however, the goal of the guidelines is to treat each child equitably, in no event should either a first or later family receive preference. Nor shall the court divide the guideline amount for all of the obligor's children among the households in which those children live.

*Example 1.* The obligor is sued for support of an out of wedlock child. The obligor is already paying support for two children of the first marriage, and has an intact second marriage with one child. The relevant monthly net incomes are \$3,800 for the obligor, \$1,100 for the former spouse, \$0 for the current spouse and \$1,500 for the parent of the new child. The obligor's basic support obligations to each family are [ \$1,043 ] \$1,061 for the two children of the first marriage, [ \$831 ] \$842 for the one child of the second marriage, and [ \$699 ] \$708 for the one child out of wedlock for a total support obligation of [ \$2,573 ] \$2,611. Since the total of these obligations exceeds fifty percent of the obligor's net monthly income of \$3,800 per month, the court may consider a proportional reduction of all of the orders.

*Example 2.* The obligor is sued for support of three children of a second marriage. There is already an order in effect for two children of the first marriage. The relevant monthly net incomes are [ \$1,500 ] \$1,600 for the obligor, \$0 for the first spouse and \$500 for the second spouse. The obligor's basic support obligations to each family are [ \$531 ] \$554 for the two children of the first marriage and [ \$615 ] \$638 for the three children of the second marriage for a total support obligation of [ \$1,146 ] \$1,192. Since this total obligation leaves the obligor with only [ \$354 ] \$408 on which to live, the order for the three children of the second family is too high. **The obligor also must be left with a Self-Support Reserve of \$931.** However, reducing the order for three children while leaving the existing order intact would give preference to the first family, contrary to the rule. Therefore, both orders must be reduced proportionally.

*Example 3.* The obligor is sued to establish orders for three children born out of wedlock. The net monthly incomes for the obligor and for each obligee is \$1,500. The court would determine that the obligor's basic support obligation for each child is [ \$357 ] \$352 for a total obligation of [ \$1,071 ] \$1,056 for three children. It would be incorrect to determine the guideline amount for three children, in this case [ \$1,213 ] \$1,189, and then divide that amount among the three children.

(c) For purposes of this rule, the presumptive amount of the obligor's basic support obligation is calculated using only the basic guideline amounts of support, as determined from the formula in Rule 1910.16-4, and does not include any additional expenses that may be added to these amounts pursuant to Rule 1910.16-6. In calculating the presumptive amount of the obligor's basic support obligation, the court should ensure that obligor retains at least [ \$867 ] \$931 per month consistent with Rule 1910.16-2(e).

*Example 1.* Assume that the obligor is paying [ \$575 ] \$565 per month support for one child of the first marriage, plus an additional \$200 per month for child care expenses. The obligor requests a reduction in this support obligation on the basis that there is one new child of the second intact marriage. The relevant incomes are \$2,400 for the obligor and \$0 for both the former and current spouses. The obligor's request for a reduction should be denied because the total of the basic guideline obligations for both children is only [ \$1,150 ] \$1,130 ([ \$575 ] \$565 for each child) and this amount does not exceed 50% of the obligor's net monthly income. No reduction should be given on the basis that the obligor's contribution to child care expenses for the first child results in an overall support obligation of [ \$1,350 ] \$1,330 which exceeds 50% of the obligor's net monthly income. Thus, the presumptive amount of basic support for the two children is still [ \$1,150 ] \$1,130 ([ \$575 ] \$565 for each child). The court must then consider the deviation factors under Rule 1910.16-5 and the parties' respective contributions to additional expenses under Rule 1910.16-6 in arriving at an appropriate amount of total support for each child.

*Example 2.* Assume that the obligor is paying [ \$365 ] \$360 per month support for one child of the first marriage. The obligor has one new child of the second intact marriage. The relevant incomes are \$1,500 for the obligor and \$0 for both the former and current spouses. No reduction should be given on the basis of the obligor's new child because the total of the basic guideline obliga-



tions for both children is only [ **\$730** ] **\$720** ( [ **\$365** ] **\$360** for each child) and this amount does not exceed 50% of the obligor's net monthly income. Since, however, this amount leaves the obligor with only [ **\$770** ] **\$780** per month, the court should proportionally reduce the support obligations so that the obligor retains [ **\$867** ] **\$931** per month. Thus, the presumptive amount of basic support for the two children is [ **\$633** ] **\$569** ( [ **\$316.50** ] **\$284.50** for each child). The court must then consider the deviation factors under Rule 1910.16-5 and the parties' respective contributions to additional expenses under Rule 1910.16-6 in arriving at an appropriate amount of total support for each child.

#### Explanatory Comment—2010

Rule 1910.16-7 has been amended to reflect the updated schedule in Rule 1910.16-3 and the increase in the Self-Support Reserve to \$867 per month, the 2008 federal poverty level for one person. The distribution priorities formerly in subdivision (d) have been moved to Rule 1910.17(d) to clarify that these priorities apply to all support orders, not just those involving multiple families.

#### Explanatory Comment—2013

**Rule 1910.16-7 has been amended to reflect the updated schedule in Rule 1910.16-3 and the increase in the Self-Support Reserve to \$931 per month, the 2012 federal poverty level for one person.**

[Pa.B. Doc. No. 13-762. Filed for public inspection April 26, 2013, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 6 ]

### Proposed Amendments to Pa.R.Crim.P. 645

The Criminal Procedural Rules Committee is considering recommending that the Supreme Court of Pennsylvania amend Rule 645 (Seating and Discharge of Alternate Jurors) to require that alternate jurors be retained after the jury has retired to consider its verdict and to provide procedures for a retained alternate juror to replace a principal juror who becomes unable to perform his or her duties or is disqualified. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

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

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

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

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

no later than Friday, June 7, 2013.

*By the Criminal Procedural Rules Committee*

NANCY L. BUTTS,  
*Chair*

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE

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

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

Rule 645. Seating and [ **Discharge** ] **Retention** of Alternate Jurors.

(A) Alternate jurors, in the order in which they are called, shall replace principal jurors who [ **, prior to the time the jury retires to consider its verdict,** ] become unable or disqualified to perform their duties.

(B) [ **An alternate juror who does not replace a principal juror shall be discharged before the jury retires to consider its verdict.** ] Alternate jurors shall be retained after the jury retires to consider its verdict. The trial judge shall instruct the retained alternate jurors to continue to observe the admonitions to jurors until they are informed that a verdict has been returned or the jury discharged. A retained alternate juror shall not be permitted to be present in the jury room during deliberations unless he or she replaces a principal juror as provided in paragraph (C).

(C) After the jury has retired to consider its verdict, a principal juror who becomes unable to perform his or her duties or is disqualified may be replaced with a retained alternate juror only if the trial judge is satisfied that the proper jury function is not harmed by the replacement. To ensure this, the trial judge shall:

(1) **colloquy the alternate juror on the record that the alternate juror has not been exposed to any improper outside influences; and**

(2) **once the jury is reconstituted following the replacement of the principal juror by the alternate juror, colloquy and instruct the reconstituted jury that**

(a) **the jurors understand that the reason the discharged juror was being replaced has nothing to do with the discharged juror's views on the case or the juror's relationship to fellow jurors; and**

(b) **the reconstituted jury understands that they must set aside and disregard all past deliberations and begin deliberations anew so as to eliminate the influence of the excused juror and so that the reconstituted jury will consider the evidence in the context of full and complete deliberations with the new juror.**

### Comment

This rule is derived from the last two sentences of former Rule 1108(a). *See* Rule 633 for the procedures for the examination and challenges of alternate trial jurors.

**This rule was amended in 2013 to require that alternate jurors be retained after the jury retires to consider its verdict and to permit the trial judge to seat an alternate juror when a principal juror unable to perform his or her duties or is disqualified, and requires replacement. The amendment recognizes that, in cases in which a principal juror becomes unable to serve after deliberations have begun, substitution of a retained alternate juror will be an appropriate alternative to the remedy of a mistrial so long as appropriate steps are taken to ensure that the juror function is not compromised. Paragraph (C)(2) provides the required colloquies and instructions that must be placed on the record when a principal juror is replaced by an alternate juror after the jury has retired to consider its verdict. *See also Commonwealth v. Saunders*, 686 A.2d 25 (Pa. Super. 1996) (Replacement of a principal by an alternate juror is proper if steps have been taken to ensure that the jury function remains protected).**

The rule does not require that all retained alternate jurors be sequestered. Rather, it is within the discretion of the trial judge to determine what restrictions are placed upon the retained alternate jurors to ensure that the alternate jurors are available and eligible for substitution should that be necessary.

**Retained alternate jurors remain in jury service, subject to all conditions thereof, until all jurors have been discharged.” *See, e.g.*, 42 Pa.C.S. § 4561.**

**When an alternate is seated pursuant to paragraph (C), the trial judge has the discretion in re-instructing the reconstituted jury with the original charge in whole or in part.**

**Nothing in the rule was intended to preclude an agreement among the parties to be tried by less than 12 jurors as provided in Rule 641.**

**Official Note:** New Rule 645 adopted March 1, 2000, effective April 1, 2001; amended , 2013, effective , 2013.

#### *Committee Explanatory Reports:*

Final Report explaining the reorganization and renumbering of the rules and the provisions of Rule 645 published **with the Court’s Order** at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

**Report explaining the proposed amendment requiring the retention and permitting the substitution of alternate jurors after deliberations have begun published for comment at 43 Pa.B. 2305 (April 27, 2013).**

### REPORT

#### *Proposed amendments to Pa.R.Crim.P. 645*

#### **Retention and Seating of Alternate Jurors After Deliberations Have Begun**

As directed by the Supreme Court of Pennsylvania, the Committee has been examining the efficacy of the current requirement of discharging alternate jurors before the jury retires for deliberations and whether it might be

more effective to provide for the retention of alternate jurors to be available to replace an incapacitated principal juror.

Current Rule 645(B) provides that “An alternate juror who does not replace a principal juror shall be discharged before the jury retires to consider its verdict.” Rule 645 developed out of two sentences in original Rule 1108(a). Then-Rule 1108 contained the provision regarding discharge of alternates prior to deliberation at least since 1975 and most likely reflected the view of post-submission substitution common at that time. Given the difficulty and expense in re-trying large and complex cases, the provision has come into question, most recently in the case of *Commonwealth v. Jones*, 986 A.2d 1257 (Pa. Super. 2009), *appeal granted* 2 A.3d 467 (Pa. 2010), *appeal dismissed as improvidently granted* 55 A.3d 1044 (Pa. 2012).

As an initial step, the Committee examined whether there were any constitutional prohibitions against substituting an alternate juror after deliberations have begun. Claims that such substitutions violate the U.S. Constitution’s double jeopardy provision have generally been rejected, as well as claims that the substitution violated the right to jury trial. *See Claudio v. Snyder*, 68 F.3d 1573 (3rd Cir. 1995), *cert denied* 517 U.S. 1109 (1996); *United States v. Hillard*, 701 F.2d 1052 (2nd Cir. 1983), *cert denied*, 461 U.S. 958 (1983). Rather, in those jurisdictions where the practice has been prohibited, the prohibition is contained in a rule or statute. The main concern is to balance society’s interest while protecting the defendant’s trial right and this is done by taking steps to ensure that the integrity of the jury process be undiminished by the replacement. *See e.g. Commonwealth v. Haywood*, 377 Mass. 755, 388 NE.2d 648 (1979).

Some of the members noted that several jurisdictions allow for the retention of alternate jurors to be available for substitution after deliberations have begun, most notably in the federal system. It was suggested that federal practice might be the best model upon which to base this change. The Committee therefore examined Federal Rule of Criminal Procedure 24 that provides that alternate jurors may be retained after the jury retires to deliberate but the trial court must ensure that the alternate does not discuss the case with anyone. Under the federal rule, if the alternate replaces a principal juror, the court must instruct the jury to begin its deliberations anew.

Furthermore, when Rule 645 was last reviewed, in *Commonwealth v. Saunders*, 686 A.2d 25 (Pa. Super. 1996), the Superior Court declined to interpret Rule 645 as a bright-line restriction. In acknowledging the requirement to release alternates at the start of deliberations, the Superior Court held that a violation of the rule raised a presumption of prejudice toward the defendant that should mandate a new trial. However, the Superior Court held that the presumption could “be rebutted by evidence which establishes that sufficient protective measures were taken to insure the integrity of the jury function.” *Id.* at 27. Those procedures were (1) ensuring that the “alternate has not been exposed to any improper outside influences;” (2) directing the recomposed jury to “begin deliberations anew,” so to eliminate “the influence of the excused juror” and allow the regular jurors “to consider the evidence in the context of full and complete deliberations with the new juror;” and (3) instructing the recomposed jury that the removal of the original juror had nothing to do with his or her views on the case or relationship with the fellow jurors to eliminate any

impression that the remaining jurors risk removal for having similar beliefs. *Id.* at 29.<sup>1</sup>

The Committee therefore concluded that Rule 645 should be amended to permit the retention of an alternate juror for replacing a principal juror who becomes incapacitated even after deliberations have begun. One member suggested that the “default” for the rule should be that the alternates would be retained and the court would have the discretion to release the alternate. This led to an examination of exactly what it would mean to “retain” the alternate jurors.

The Committee considered the fact that sitting juries are rarely sequestered in current practice and jurors are often permitted to return to their homes at the end of the day during deliberations. Proper instructions given in these situations are sufficient to ensure an untainted jury. The Committee concluded that the same procedure could be applied to alternate jurors and agreed that the rule should provide that alternate jurors be retained in every case. Such a provision is not unprecedented. *See* Arizona Rule of Criminal Procedure 18.5(h).

It would be within the trial judge’s discretion whether the alternates would be sequestered, ordered to remain in the courthouse or could be released to their homes with instructions to remain available for recall if needed. However, it is clear that alternate jurors are not permitted to be present in the jury room during deliberations unless they have replaced an excused principal juror. *See Commonwealth v. Coleman*, 119 A.2d 261 (Pa. 1956). The alternates would be treated the same as any other juror while retained on jury service.

The proposed amendments would delete current paragraph (B) that contains the requirement that the alternates be discharged prior to deliberations. New paragraph (B) would contain the requirement that the alternates be retained on jury service while language to be added to the Comment would explain that the restrictions to be placed on such retained jurors were within the discretion of the trial judge. Paragraph (B) would also contain the procedures designed to ensure that the alternates would not be tainted once deliberations were undertaken.

New paragraph (C) would provide the procedures to be followed for replacing a juror post-submission, incorporating the required steps described in *Saunders*. These requirements are subdivided to describe the provisions related to (1) the colloquy of and instructions to the alternate juror before that alternate is placed on the jury and (2) the instructions to be given to the reconstituted jury once that alternate has been seated.

The Comment would also provide that, once the jury is reconstituted, the trial judge would have the discretion to re-instructing the reconstituted jury with the original charge. Finally, language would be added to the Comment to ensure that nothing in the rule was construed as intending to preclude an agreement among the parties to be tried by less than 12 jurors as provided in Rule 641.

[Pa.B. Doc. No. 13-763. Filed for public inspection April 26, 2013, 9:00 a.m.]

<sup>1</sup> Ultimately, a new trial was ordered in *Saunders* due to the failure of the trial court to instruct the original jurors to disregard their prior deliberations but, in fact, ordered to the contrary by directing original jurors to disclose to alternate what had transpired during prior deliberations.

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CHS. 1 AND 11 ]

#### Proposed Rules 182 and 1182

The Juvenile Court Procedural Rules Committee is planning to recommend to the Supreme Court of Pennsylvania that new Rules 182 and 1182 be adopted. These proposed additions address qualifications of masters.

It is also important to note that the Committee is recommending a two-year effective date from the date of adoption to give the Pennsylvania Continuing Legal Education Board ample time to approve courses and for masters to gain additional experience and training.

The following Explanatory Report highlights the intent of these Rules. Please note that the Committee’s Reports should not be confused with the official Committee Comments to the Rules. Also note that the Supreme Court does not adopt the Committee’s Comments or the contents of the Explanatory Reports.

The Committee requests that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Christine Riscili at juvenilerules@pacourts.us. Email is the preferred method for receiving comments in an effort to conserve paper and expedite the distribution of Comments to the Committee. Emailed comments need not be reproduced and sent via hard copy. The Committee will acknowledge receipt of your comment.

For those who do not have access to email, comments may be faxed to the Committee at 717-231-9541 or written comments may be mailed to:

Christine Riscili, Esq.  
Supreme Court of Pennsylvania  
Juvenile Court Procedural Rules Committee  
Pennsylvania Judicial Center  
601 Commonwealth Ave, Suite 6200  
P. O. Box 62635  
Harrisburg, PA 17106-2635.

All comments shall be received no later than June 21, 2013.

*By the Juvenile Court  
Procedural Rules Committee*

HONORABLE TODD A. HOOVER,  
*Chairperson*

#### Annex A

### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 1. GENERAL PROVISIONS

#### PART D. MASTERS

#### Rule 182. Qualifications of Master.

*A. Education, Experience, and Training.* To be eligible to be appointed to preside over cases governed by the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, an individual shall:

- 1) be a member, in good standing, of the bar of this Commonwealth;
- 2) have been licensed to practice law for at least five years; and

3) one of the following:

a) have at least two years of practical experience in juvenile law; or

b) have completed a course approved by the Pennsylvania Continuing Legal Education Board for new masters prior to hearing cases that shall include:

- i) the Juvenile Act;
- ii) the Pennsylvania Rules of Juvenile Court Procedure;
- iii) the penal laws of Pennsylvania;
- iv) the Child Protective Services Law;
- v) the collateral consequences to an adjudication of delinquency; and
- vi) any local procedures and state regulations.

**B. Continuing Education.** A master shall complete six hours of instruction in juvenile delinquency law, policies, or related social science research every two years, which shall include:

- 1) updates in the initial training areas as provided in paragraphs (A)(3)(b)(i)—(vi); and
- 2) child and adolescent development.

**C. Compliance.** A master shall sign an affidavit attesting that he or she has met the requirements of this rule. The affidavit shall be sent to the President Judge or his or her designee of each judicial district where the attorney is appointed as a master.

#### Comment

Pursuant to paragraph (A), masters are to have at least five years of experience as an attorney with at least two years of experience in juvenile law. If attorneys do not have two years of experience in juvenile law, they may attend a training to qualify as masters over juvenile cases.

The training program is to be approved by the Pennsylvania Continuing Legal Education Board.

The Pennsylvania Continuing Legal Education Board may approve courses designed to address the requirements of paragraph (B) for continuing education. These requirements are additional requirements to the Pa.R.C.L.E. because they mandate specific training in juvenile delinquency law. However, the credit hours received do count towards the total maximum required under Pa.R.C.L.E. 105.

Pursuant to paragraph (C), a master is to certify to the court that the requirements of this rule have been met.

**Official Note:** Rule 182 adopted \_\_\_\_\_, effective \_\_\_\_\_ (Committee recommending two years after adoption date).

### Subpart B. DEPENDENCY MATTERS

#### CHAPTER 11. GENERAL PROVISIONS

#### PART D. PROCEEDINGS IN CASES BEFORE MASTER

#### Rule 1182. Qualifications of Masters.

**A. Education, Experience, and Training.** To be eligible to be appointed to preside over cases governed by the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, an individual shall:

1) be a member, in good standing, of the bar of this Commonwealth;

2) have been licensed to practice law for at least five years; and

3) one of the following:

a) have at least two years of practical experience in juvenile law; or

b) have completed a course approved by the Pennsylvania Continuing Legal Education Board for new masters prior to hearing cases that shall include:

- i) the Juvenile Act;
- ii) the Pennsylvania Rules of Juvenile Court Procedure;
- iii) the Child Protective Services Law; and
- iv) any local procedures and state regulations.

**B. Continuing Education.** A master shall complete six hours of instruction in juvenile dependency law, policies, or related social science research every two years, which shall include:

- 1) updates in the initial training areas as provided in paragraphs (A)(3)(b)(i)—(iv); and
- 2) child and adolescent development.

**C. Compliance.** A master shall sign an affidavit attesting that he or she has met the requirements of this rule. The affidavit shall be sent to the President Judge or his or her designee of each judicial district where the attorney is appointed as a master.

#### Comment

Pursuant to paragraph (A), masters are to have at least five years of experience as an attorney with at least two years of experience in juvenile law. If attorneys do not have two years of experience in juvenile law, they may attend a training to qualify as masters over juvenile cases.

The training program is to be approved by the Pennsylvania Continuing Legal Education Board.

The Pennsylvania Continuing Legal Education Board may approve courses designed to address the requirements of paragraph (B) for continuing education. These requirements are additional requirements to the Pa.R.C.L.E. because they mandate specific training in juvenile dependency law. However, the credit hours received do count towards the total maximum required under Pa.R.C.L.E. 105.

Pursuant to paragraph (C), a master is to certify to the court that the requirements of this rule have been met.

**Official Note:** Rule 1182 adopted \_\_\_\_\_, effective \_\_\_\_\_ (Committee recommending two years after adoption date).

#### Explanatory Report

##### Background

This recommendation was prompted by the Recommendation of the Interbranch Commission on Juvenile Justice (ICJJ) and will only address master qualifications. On page 46 of the ICJJ Report, the ICJJ recommended the need for “masters to be properly educated about the Juvenile Act, child development, and problems unique to the relationship between children and their families.” Further, the ICJJ recommended that the Supreme Court develop mandatory continuing education standards for juvenile masters. *See* ICJJ Report at pg. 46.

In addition to the recommended educational requirements by the ICJJ for “delinquency” matters of juvenile

court, the Committee believed educational requirements were just as important and necessary for “dependency” matters.

The purpose of these rule additions is to provide a minimum standard for education, experience, and training of masters. Judicial districts are encouraged to provide additional educational and training courses for its masters.

#### *Rule Discussion*

#### *Rules 182 and 1182—Qualifications of Master*

These new proposed rules govern the qualifications of masters. Prior to presiding over juvenile cases, these attorneys must be a member, in good standing, of the Bar of this Commonwealth, have been licensed to practice law for five years, and either: 1) have consistently practiced in juvenile law for at least two years; or 2) have completed the initial training program.

In addition, these attorneys should have experience in diverse cases. It would be beneficial if the attorney handled juvenile cases prior to becoming a master with experience in several different types of allegations and at different stages of the process, including detention or shelter-care hearings, adjudicatory hearings, transfer or permanency hearings, dispositional hearings, and dispositional review hearings.

After the initial training or experience requirement has been met, attorneys are required to continue their legal education with updates in delinquency or dependency law and child and adolescent development. This requirement is an additional requirement to the Pa.R.C.L.E. because it mandates education specifically in juvenile delinquency or dependency law; whereas the Pa.R.C.L.E. do not mandate specific training areas. *See* paragraph (B). Six hours of this specific education must be completed every two years. However, these hours will count towards the mandatory twelve hours of continuing legal education each year mandated by Pa.R.C.L.E. 105.

Pursuant to paragraph (C), masters must attest that they have met the requirements of this rule prior to presiding over juvenile matters, and every two years after the initial affidavit, they must submit a new affidavit.

[Pa.B. Doc. No. 13-764. Filed for public inspection April 26, 2013, 9:00 a.m.]

## **Title 255—LOCAL COURT RULES**

### **ADAMS COUNTY**

#### **Amendment of Rules of Judicial Administration; Administrative Order No. 23 of 2013**

#### **Order of Court**

*And Now*, this 10th day of April, 2013, the Court hereby Orders that the Adams County Rules of Judicial Administration shall be amended as follows:

#### **440. Petition for Appointment to Fill Vacancy in Office of Constable.**

**A. Any person seeking to be appointed to serve as constable to serve a vacancy in said office pursuant to 44 Pa.C.S.A. § 7121 shall file petition in the**

**Adams County Clerk of Courts Office. The petition shall include the following:**

- 1. A statement identifying the borough, city, ward, or township in which a vacancy exists;**
- 2. The expiration date of the term of office for which the appointment is being sought;**
- 3. A statement that the petitioner is a resident of the municipality where the vacancy exists; and**
- 4. A statement that the petitioner has or will satisfy all the statutory requirements to serve as a constable.**

**B. The petition shall be signed by ten (10) qualified electors residing in the borough, city, ward, or township in which the vacancy exists. In addition to original signature, each qualified elector shall be identified by printed name and address.**

**C. Upon the filing of a petition in compliance with the requirements of this rule, the Adams County Clerk of Courts Office shall forward the same to the President Judge, or designee, within five (5) business days of the filing of the same. The President Judge, or designee, shall schedule hearing or take other appropriate action as necessary.**

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. It is further directed that:

a. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

b. Seven (7) certified copies of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa. R.J.A. No. 103(c)(2); and

c. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 13-765. Filed for public inspection April 26, 2013, 9:00 a.m.]

### **MONTGOMERY COUNTY**

#### **Prothonotary's Office—Fee Schedule; Case No. 2013-00007**

#### **Order**

*And Now*, to wit, this 12th day of April, 2013, upon consideration of the within Petition to establish new fees presented by the Prothonotary, Mark Levy, and in accordance with Title 42 P. S. § 21042.1 of the Prothonotary Fee Law, it is hereby *Ordered* and *Decreed* that the fee schedule of the Montgomery County Prothonotary Office is amended effective the 1st day of June, 2013. It is further *Ordered* and *Decreed* that the fee schedule of the Montgomery County Prothonotary which is attached to

the Petition as Exhibit "2" is hereby approved and adopted effective the 1st day of June, 2013.

*By the Court*

WILLIAM J. FURBER,  
*President Judge*

[Pa.B. Doc. No. 13-766. Filed for public inspection April 26, 2013, 9:00 a.m.]

## WESTMORELAND COUNTY

### Rescinding Rules W1915.3—W1915.17; Adopting New Rules W1915.3—W1915.17; No. 3 of 2013

#### Order

*And Now*, this 25th day of March, 2013 *It Is Hereby Ordered* that current Westmoreland Rules of Civil Procedure W1915.3 through W1915.17 are rescinded and that new Rules of Civil Procedure W1915.3 through W1915.17 are adopted.

*By the Court*

GARY P. CARUSO,  
*President Judge*

#### Actions for Custody, Partial Custody and Visitation of Minor Children

##### Rule W1915.3. Commencement of Action, Complaint, Order.

(a) All actions raising issues of custody, partial custody, or visitation of minor children shall be commenced by the filing of a verified complaint or petition and a separate scheduling order as set forth in W1915.15. Forms are available at the Westmoreland Pro Bono Office on the fourth floor of the Westmoreland County Courthouse or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us).

(b) The petitioner shall, at the time of filing, proceed to the Westmoreland County Family Court Administrator (Custody Office) for an assignment of a date and time for the custody conciliation conference. The custody conciliation conference shall be scheduled for a date and time not later than 45 days after filing of the complaint or count.

(c) The moving party shall file proof of service of the action with the Westmoreland County Prothonotary prior to the custody conciliation conference.

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

All parties shall be ordered, at the time of filing, to attend the mandatory Children Hurt In Loss through Divorce/separation (CHILD) Program prior to the custody conciliation conference. In addition, other persons in a caretaking capacity may be ordered to attend.

##### Rule W1915.4-3. Custody Conciliation Conference.

(a) Each party shall submit to the Westmoreland County Family Court Administrator (Custody Office) at the time of the conference a completed Westmoreland County Parent Information Form and proof of his or her most recent earnings. The Parent Information Form is available from the Westmoreland County Custody Office or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us).

(b) The parties may file with the family court administrator (custody office), an Election to Proceed Through Mediation. The party filing the Election to Proceed Through Mediation must Certify that all parties agree to mediation. Upon receipt of the Election and Certification,

the family court administrator shall continue the scheduled Conciliation Conference, and inform the mediator to schedule the Mediation.

(c) The parties may also at any time file a Consent Custody Agreement with the family court administrator (custody office). Forms are available from the Westmoreland Pro Bono Office on the fourth floor of the Westmoreland County Courthouse Annex or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us).

(d) If neither an Election to Proceed Through Mediation pursuant to subsection (b), nor a Custody Agreement pursuant to subsection (c) are filed with the family court administrator (custody office), the Conciliation Conference shall proceed as follows:

(1) All parties, and any child, for whom custody or visitation is sought, shall be present at the Custody Conciliation Conference, unless otherwise ordered by the court. Failure of a party to appear at the Custody Conciliation Conference may result in the entry of a custody order by the Court on the recommendation of the custody conference officer in the absence of that party. The absent party may also be subject to contempt proceedings.

(2) The custody conference officer, who is an attorney, shall conduct the non-record, informal Conciliation Conference actively engaging the parties in order to reach an agreement. The parties are given the opportunity to present the issues or problems and to explore all available options for resolution.

(3) A Custody Agreement form is completed and signed when an agreement is reached.

(4) If the parties cannot agree, the custody conference officer will forward a report and recommended Order to the court.

A. The report shall contain the following:

1. An indication that the parties consent to an evaluation including requirements such as physical or mental evaluations or home studies be undertaken pursuant to Rule W1915.8;

2. Findings of fact on jurisdiction or venue issues; and

3. Recommendations for custody.

B. The order will include all areas of prior agreement.

C. Except as provided in subsection D., the order shall become a final order unless a Request For Custody Pretrial Conference is filed within 30 days of the date of service of the order. A copy of the order shall be served in accordance with Pa.R.C.P. 236, with a copy to the family court administrator (custody office).

D. When the court orders an evaluation, the order will also direct that a Pretrial Conference be scheduled. The Request requirement of subsection C. does not apply when the Pretrial Conference is ordered.

E. The Request For Custody Pretrial Conference is available at the family court administrator (custody office) on the fourth floor of the Westmoreland County Courthouse Annex or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us).

##### Rule W1915.4-4. Voluntary Mediation.

(a) The parties may agree to mediate custody and visitation matters before a neutral mediator. The parties are responsible to pay for mediation services. Mediation shall be conducted in accordance with Pa.R.C.P. 1940-1 et. seq.

(b) All matters before the mediator shall remain confidential except as provided at 42 Pa.C.S.A. § 5949(b). Confidentiality may be waived in writing by the parties.

(c) All agreements shall be reduced to writing and submitted to the court.

(d) The Westmoreland County Family Court Administrator (Custody Office) shall provide the mediators with dates and times for which to schedule a Conciliation Conference for those who have not succeeded through mediation. The mediator shall immediately schedule by Notice those who have not settled through Mediation. The date and time scheduled for the conciliation conference shall forthwith be reported by phone or facsimile to the family court administrator (custody office).

**Rule W1915.8. Physical and Mental Examination of Persons.**

(a) The court may order Evaluations in accordance with Pa.R.C.P. 1915.8 on its own motion, if consented by the parties and indicated in the report of the custody conciliation officer, or in ruling on a motion or petition of either party. In the event an evaluation is ordered, a Pretrial Conference will be automatically scheduled.

(b) Failure to pay for the examination as ordered may result in contempt proceedings and appropriate penalties as provided in Pa.R.C.P. 1915, et seq.

**Rule W1915.10. Request for Custody Pretrial Conference. Pretrial Conference. Decision.**

(a) A party may file a Request for a Custody Pretrial Conference in the Westmoreland County Prothonotary's office anytime within 30 days from the date of service of a Custody Order issued as a result of a Conciliation Conference. Prior to filing the Request, the moving party shall deliver the Request to the chambers of the assigned judge for the scheduling of a Pretrial Conference. When Custody Evaluations have been ordered, a Pretrial Conference is automatically scheduled and a Request need not be filed. (See: W1915.8(a).)

(b) The moving party must serve a copy of the Request and signed Scheduling Order on the other counsel/parties, and on the family court administrator (custody office)

within 3 days of receiving the signed Order. The Request For Custody Pretrial Conference and Scheduling Order are available at the Westmoreland County Custody Office on the fourth floor of the Westmoreland County Annex or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us).

**Rule W1915.13. Special Relief.**

Motions for Special Relief will be screened before any hearing is scheduled. Special Relief may be denied without a hearing.

**Rule W1915.15. Form of Complaint. Caption. Order. Petition to Modify a Partial Custody or Visitation Order.**

Custody forms are available at the Westmoreland Pro Bono Office on the fourth floor of the Courthouse Annex or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us).

**Rule W1915.17. Judicial Custody (Pretrial) Conference.**

(a) The Pretrial Narrative Form, which may be obtained from the custody office or on-line at [www.co.westmoreland.pa.us](http://www.co.westmoreland.pa.us), shall list all witnesses, including experts. It shall be completed by the parties or counsel and must be filed, submitted to the court, and served on the opposing party at least ten days prior to the Pretrial Conference.

(b) All parties and any child for whom custody or visitation is sought shall be present at the Judicial Custody Conference unless either waived by the parties or their counsel, or permitted to be absent by court order. Failure of a party to appear at the Judicial Custody Conference may result in the entry of a custody/visitation order by the court.

(c) The court shall attempt to obtain a Consent Custody Agreement on any pending custody issues. Any Agreement shall be reduced to writing and entered as an Order of Court.

(d) If no agreement is reached, the court may enter a new Order pending the Custody Hearing and shall issue an Order listing the matter for trial.

[Pa.B. Doc. No. 13-767. Filed for public inspection April 26, 2013, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CH. 147 ]

#### Special Permits; Mentored Youth Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 29, 2013, meeting amended § 147.804 (relating to general) to allow a mentor to transfer a valid Deer Management Assistance Program (DMAP) permit issued to him to an eligible mentored youth upon the harvest of an antlerless deer.

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

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

Notice of proposed rulemaking was published at 42 Pa.B. 6760 (October 27, 2012).

#### 1. Purpose and Authority

Sporting organizations and other interested groups have continued to express an interest in having the Commission expand mentored youth hunting opportunities within this Commonwealth. These groups supported the amendment to § 147.804 to permit the transfer of no more than one DMAP permit to a mentored youth hunter per license year. This will not significantly increase antlerless deer harvest and is consistent with the goal of providing additional mentored youth hunting opportunity.

Section 2711(a.1) of the code (relating to unlawful acts concerning licenses) states that "For the sole purpose of implementing and enhancing a mentored youth hunting program within this Commonwealth, the commission may establish regulations exempting certain limited youth hunting activities from the prohibitions specified in subsection (a)(1), (3), (5) and (8)." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 147.804 were adopted under this authority.

#### 2. Regulatory Requirements

The final-form rulemaking amends § 147.804 to allow a mentor to transfer a valid DMAP permit issued to him to an eligible mentored youth upon the harvest of an antlerless deer.

#### 3. Persons Affected

Persons wishing to hunt antlerless deer within this Commonwealth under the mentored youth hunting program will be affected by the final-form rulemaking.

#### 4. Comment and Response Summary

The Commission received two comments in support of the final-form rulemaking.

#### 5. Cost and Paperwork Requirements

The final-form rulemaking may result in some additional cost and paperwork associated with the affects transferring tags will have on the Pennsylvania Automated License System. However, the Commission has determined that if there is additional expense associated with this effort, it will not be substantial and would be absorbed by the current budget.

#### 6. Effective Date

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

#### 7. Contact Person

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

#### Findings

The Commission finds that:

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

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

#### Order

The Commission, acting under authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.804 to read as set forth at 42 Pa.B. 6760.

(b) The Executive Director of the Commission shall certify this order and 42 Pa.B. 6760 and deposit them with the Legislative Reference Bureau as required by law.

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

CARL G. ROE,  
Executive Director

**Fiscal Note:** Fiscal Note 48-349 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 13-768. Filed for public inspection April 26, 2013, 9:00 a.m.]



# PROPOSED RULEMAKINGS

## PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 605a, 639a, 641a, 643a, 647a, 653a, 655a AND 657a ]

### Electronic Gaming Tables and Table Games Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to amend Chapters 605a, 639a, 641a, 643a, 647a, 653a, 655a and 657a to read as set forth in Annex A.

#### *Purpose of the Proposed Rulemaking*

This proposed rulemaking will add requirements for progressive table game systems that are linked between multiple tables within the same licensed facility, add the Progressive Payout Wager to Crazy 4 Poker, Caribbean Stud Poker, Four Card Poker, Let It Ride Poker and Texas Hold 'Em Bonus Poker and the Bad Beat Wager to Four Card Poker.

#### *Explanation*

##### *Progressive table games*

Section 605a.7(a)(1) (relating to progressive table games) is proposed to be amended to require the progressive meter on tables to increase in value based on the wagers. Unlike slot machine progressives, progressive jackpots on table games are player funded (with the exception of the seed amount). Therefore, the meter should be incrementing every time a player places a progressive wager. For the same reasons, the option in subsection (b)(4) to place caps or limits on the progressive jackpot amounts is proposed to be deleted.

Proposed amendments to subsection (b)(4) require that if an operator is going to fund a reserve pool with a portion of the patron's wager on a progressive, the proposed incrimination rate must be included in the operator's submission to the Bureau of Gaming Laboratory Operations.

For clarity, subsection (d)(1) and (2) is proposed to be consolidated. Specificity is proposed to be added in renumbered subsection (d)(3) regarding what is to happen to a progressive jackpot amount if a meter malfunctions.

Proposed subsection (e) prohibits operators from capping a meter or offering more than one progressive on the same table game (for example, a Five-Card and Four-Card Progressive). The Board believes that having multiple progressives on the same table game will create problems with administering the progressives and will lead to confusion. Proposed subsection (e)(3) requires that if operators were to offer progressives, the required wager amount would have to be a set amount to ensure fairness to all players vying for the progressive jackpot (a percentage of the jackpot meter).

##### *Linked progressive tables*

A local area progressive (LAP) controller links different games within the same licensed facility together for the purpose of offering a shared progressive jackpot. A definition of "local area progressive controller" is proposed to be

added to § 605a.1 (relating to definitions). Proposed § 605a.8 (relating to linked progressive table games) includes key control and general system specifications for LAP controllers.

Additionally, to ensure fairness to players, if a certificate holder is offering a linked progressive, the linked games must have the same probability of hitting the jackpot and the same amount shall be wagered by the players participating in the side bet. See § 605a.8(g).

##### *Progressive payout wager*

The Progressive Payout Wager (referred to in several of the chapters as the Five-Card Progressive Payout Wager for games that already include a Three or Four-Card Progressive Wager) is an optional side wager that the player's five-card hand will contain a three-of-a-kind or better. This side wager may be offered on a single table (such as one Four Card Poker table), on multiple tables (a bank of Four Card Poker tables) or across multiple games within the same licensed facility (Four Card Poker, Crazy 4 Poker and Let It Ride Poker tables, for example). The purpose of linking multiple tables and games together is to increase the number of individuals contributing to and playing for the progressive jackpot amount.

Under this proposed rulemaking, the Progressive Payout Wager (Five-Card Progressive Payout Wager) may be played on any of the following games: Caribbean Stud Poker; Four Card Poker; Let It Ride Poker; Texas Hold 'Em Bonus Poker; Ultimate Texas Hold 'Em Poker; Mississippi Stud; and Crazy 4 Poker. For these games, language is proposed to be added specifying that if a facility were to offer a linked progressive, the table game system must comply with § 605a.8. For games that did not previously include a payout based on a five-card Poker hand, hand rankings are proposed to be added. A description of the Progressive Payout Wager, how the wager is to be settled and when it is to be settled, and the payout odds and amounts are proposed to be added.

In addition, several chapters are proposed to be amended to ensure that players wagering on a progressive have the same probability of winning the jackpot.

In Caribbean Stud Poker, the Progressive Payout Wager based on a five-card hand is already included as an optional side wager. However, the Progressive Payouts previously approved in paytables A—C may be utilized only on single table progressives but may not be used for linked table progressives. Therefore, proposed amendments to §§ 639a.11 and 639a.12 (relating to procedure for completion of each round of play; and payout odds; rate of progression) specify that if operators were to offer linked progressives, only proposed payable D, which includes an Envy Bonus, could be utilized.

Proposed amendments to § 647a.2(c) (relating to Texas Hold 'Em Bonus Poker table physical characteristics) specify that if an operator were to offer the Progressive Payout Wager, the table must be equipped with a progressive table game system. This language is proposed to be added because other progressive wagers were not previously authorized for Texas Hold 'Em. As this is the first progressive side wager authorized, additional requirements regarding the use of the progressive table game system are proposed to be added in §§ 647a.8, 647a.9 and 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

Proposed amendments to § 653a.11 (relating to procedures for completion of each round of play) ensure that only the player's two cards and the first three community cards (the Flop) may be used to form the best five-card Poker hand for purposes of the Progressive Payout Wager. This clarifying language is proposed to be included because allowing players to create the best five-card Poker hand from the seven cards dealt (the player's two cards and five community cards) would create an advantage to players at Ultimate Texas Hold 'Em Poker if those players were vying for the linked progressive jackpot against players at tables in which only the player's first five cards were used to create the best possible hand.

In Mississippi Stud, language is proposed to be amended in § 655a.11(i)(4)(i)(D) (relating to procedures for completion of each round of play) for consistency with the other chapters that offer progressive jackpot payouts.

Proposed amendments to § 657a.11 (relating to procedures for completion of each round of play) specify that for the Five-Card Progressive Payout Wager, the dealer shall consider all five cards dealt to the player to determine a winning hand. This clarifying language is proposed to be included because other wagers in Crazy 4 Poker are based on the best four-card hand a player can make from the five cards dealt.

#### *Bad Beat Bonus Wager*

The Bad Beat Bonus Wager is proposed to be added to Four Card Poker. The layout requirements are proposed to be added in § 641a.2(b)(4) (relating to Four Card Poker table physical characteristics), the wager description is proposed to be added to § 641a.7(d)(6) (relating to wagers), the procedure for payment of winning wagers and the collection of losing wagers is proposed to be added in § 641a.11(c)(6) (relating to procedures for completion of each round of play) and the payout odds are proposed to be added in § 641a.12(f) (relating to payout odds; Envy Bonus; rate of progression).

#### *Fiscal Impact*

*Commonwealth.* The Board does not expect that this proposed rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Testing of LAP controllers and progressives and updates to Rules Submissions and internal control procedures will be reviewed by existing Board staff.

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

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

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

#### *Paperwork Requirements*

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

#### *Effective Date*

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

#### *Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Susan A. Yocum, Assistant Chief Counsel, Attention: Regulation #125-169 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

#### *Contact Person*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 15, 2013, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at [www.gamingcontrolboard.pa.gov](http://www.gamingcontrolboard.pa.gov).

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

WILLIAM H. RYAN, Jr.,  
Chairperson

**Fiscal Note:** 125-169. No fiscal impact; (8) recommends adoption.

#### **Annex A**

#### **TITLE 58. RECREATION**

#### **PART VII. GAMING CONTROL BOARD**

#### **Subpart K. TABLE GAMES**

#### **CHAPTER 605a. ELECTRONIC GAMING TABLES**

#### **§ 605a.1. Definitions.**

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

*Electronic wagering system*—A computer or server and any related hardware, software or other device that permits wagering to be conducted at a gaming table.

*Game account*—The funds that are available to a player for use at an electronic gaming table.

*Local area progressive controller*—The hardware and software used to configure, maintain and operate a shared link between progressive table games within a licensed facility.

§ 605a.7. Progressive table [ **game systems** ] games.

(a) Each progressive **on a** fully automated electronic gaming table, electronic gaming table or live table game must have:

(1) A progressive meter visible from the front of the gaming table, which **[ may ] must** increase in value based upon wagers, that advises the players of the amount which can be won if the player receives the corresponding outcome.

\* \* \* \* \*

(b) A table game that offers a progressive jackpot may not be placed on the gaming floor until the certificate holder or, if applicable, the progressive system operator, has submitted the following to the Bureau of Gaming Laboratory Operations for review and approval, in accordance with § 461a.4 (relating to submission for testing and approval):

\* \* \* \* \*

(4) **[ The proposed limit for the progressive jackpot, if any. ] The proposed incrimination rate for a reserve pool, if any, to fund the next reset amount.**

(c) A table game that offers either a new progressive jackpot or a modification of an existing progressive jackpot may not be made available for play by the public until the table game has been tested by the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 and § 461a.26 (relating to testing and software installation on the live gaming floor).

(d) Progressive meters may not be turned back to a lesser amount unless one of the following occurs:

(1) The amount indicated has been **[ actually ]** paid to a winning patron **and the amount won has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).**

(2) **[ The progressive jackpot amount won by the patron has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).**

(3) **] The progressive jackpot has, upon written approval in accordance with § 461a.4, been transferred to another progressive table game.**

**[ (4) The change is necessitated by a ] (3) A table game or [ meter malfunction ] progressive meter malfunctions, in which case, a written explanation shall be sent to the Bureau of Gaming Laboratory Operations and the entire progressive jackpot amount shall be placed back onto the progressive jackpot meter.**

(e) **A certificate holder that offers progressive jackpots:**

(1) **May not place a limit or cap on the progressive jackpot amount.**

(2) **May not offer more than one progressive jackpot on the same table game.**

(3) **Shall require that the same progressive wager amount be invested to entitle the player a chance at winning the progressive jackpot. The progressive wager amount required may not be changed unless the certificate holder updates its Rules Submission in accordance with § 601a.2 (relating to table games Rules Submissions).**

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

#### § 605a.8. Linked progressive table games.

(a) Two or more table games that are located within the same licensed facility and offer a shared progressive jackpot must be linked using an approved local area progressive (LAP) controller.

(b) The LAP controller:

(1) Must be capable of uniquely identifying each linked progressive table game.

(2) Must become inoperable if any of the following errors occur:

(i) RAM failures

(ii) Power failures.

(iii) Self-check errors.

(iv) Incorrect configurations.

(v) Lost jackpot configurations.

(3) Must be designed to:

(i) Recover from an error or communication failure and, when recovered, to return to the state it was in prior to the error or communication failure.

(ii) Automatically and accurately calculate the progressive jackpot amount based on a configured rate of progression and to continuously update the required displays and meters.

(iii) Accurately identify and record the order of winning progressive jackpots when two or more linked progressive table games achieve the same winning game outcome at nearly the same time.

(iv) Complete a self-check when powered-up. A LAP controller must be designed so that it becomes operational only if it has successfully passed a self-check. A self-check must include an authentication of the LAP controller software by means of, at a minimum, a 16 bit Cyclical Redundancy Check.

(4) May not allow progressive parameter changes while a progressive link is in operation.

(c) Progressives connected to a LAP controller must become unplayable when the LAP controller is disabled or inoperable or if the progressive loses communication with the LAP controller.

(d) The certificate holder shall specify in its internal controls required under § 465a.2 (relating to internal control systems and audit protocols):

(1) The mechanism by which the certificate holder and the patrons will be notified if the LAP controller or the linked progressive on a table game becomes inoperable.

(2) The secure location within the licensed facility where the LAP controller will be stored.

(3) An access matrix containing a list of users and a description of their access rights to the LAP controller software.

(4) Key controls over the cabinet or rack which houses the LAP controller.

(e) A certificate holder is required to physically house an entry authorization log that documents each time a LAP controller is accessed in each location where a LAP controller is stored. The log must:

(1) Contain the date, time, purpose for accessing the LAP controller and the signature and license or permit number of the person accessing the LAP controller.

(2) Be maintained in the location where the LAP controller unit is housed.

(3) Have recorded a sequence number and the manufacturer's serial number of the LAP controller.

(f) A certificate holder seeking to utilize a linked progressive on a table game shall submit for approval the location and manner of installing a progressive meter display mechanism.

(g) Two or more table games within the same licensed facility that are linked to a common progressive meter for the purpose of offering a shared progressive jackpot must:

(1) Have the same probability of hitting the combination that will award the progressive jackpot as every other table game linked to the common progressive meter.

(2) Require that the same progressive wager amount be invested to entitle the player a chance at winning the progressive jackpot. Progressive wager amounts may not be changed unless the certificate holder updates its Rules Submission in accordance with § 601a.2 (relating to table games Rules Submissions).

(h) Table games that offer a linked progressive jackpot may not be made available for play by the public until the LAP controller and the linked progressive table games have been tested by the Bureau of Gaming Laboratory Operations and approved in accordance with §§ 461a.4 and 461a.26 (relating to submission for testing and approval; and testing and software installation on the live gaming floor).

**CHAPTER 639a. CARIBBEAN STUD POKER**

**§ 639a.1. Definitions.**

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

*Bet Wager*—An additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

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

*Envy Bonus Qualifying Hand*—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 639a.6(b) (relating to Caribbean Stud Poker rankings).

*Fold*—The withdrawal of a player from a round of play by not making a Bet Wager.

\* \* \* \* \*

**§ 639a.2. Caribbean Stud Poker table physical characteristics.**

\* \* \* \* \*

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 639a.7(d)(2), the Caribbean Stud Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [ game systems ] games), for the placement of Progressive Payout Wagers. **If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply**

**with § 605a.8 (relating to linked progressive table games).** The progressive table game system must include:

\* \* \* \* \*

**§ 639a.11. Procedure for completion of each round of play.**

\* \* \* \* \*

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to make a Bet Wager in an amount equal to two times the amount of the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and a Caribbean Stud Bonus Wager or Progressive Payout Wager but does not make a Bet Wager, the player shall forfeit all wagers **but does not forfeit the right to receive an Envy Bonus Payout, if applicable.**

(c) After each player who has placed an Ante Wager has either placed a Bet Wager on the designated area of the layout or forfeited his wager and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer's four hole cards and place the cards so as to form the highest possible ranking five-card Poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

\* \* \* \* \*

(5) After settling a player's Ante, Bet and Caribbean Stud Bonus Wagers, the dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's five-card Poker hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

\* \* \* \* \*

(iv) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 639a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(v) **Pay any Envy Bonus won in accordance with § 639a.12(d)(6) if Paytable D in § 639a.12(d)(1) is selected by the certificate holder. Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Caribbean Stud Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.**

(d) After all wagers of the player have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 639a.12. Payout odds; rate of progression.

\* \* \* \* \*

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

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Royal flush	100% of meter	100% of meter	100% of meter	100% of meter
Straight flush	5,000 for 1	10% of meter	10% of meter	10% of meter
Four-of-a-kind	500 for 1	500 for 1	200 for 1	300 for 1
Full house	100 for 1	100 for 1	50 for 1	50 for 1
Flush	50 for 1	50 for 1	40 for 1	40 for 1
Straight	10 for 1	10 for 1	30 for 1	30 for 1
Three-of-a-kind	3 for 1	3 for 1	9 for 1	9 for 1
Two pair	2 for 1	2 for 1	N/A	

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) Paytables A, B and C may not be selected by the certificate holder if the Progressive Payout Wager is offered on multiple linked games with a shared progressive jackpot.

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and may not be less than \$10,000.

[ (4) ] (5) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 639a.11(c)(5) (relating to procedure for completion of each round of play).

(6) If the certificate holder selects Paytable D, Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

*\$1 Progressive Payout Wager*

Hand	Envy Bonus
Royal flush	\$1,000
Straight flush	\$300

*\$5 Progressive Payout Wager*

Hand	Envy Bonus
Royal flush	\$5,000
Straight flush	\$1,500

CHAPTER 641a. FOUR CARD POKER

§ 641a.1. Definitions.

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

*Aces Up Wager*—The wager that a player is required to make prior to any cards being dealt to compete against a posted payable, regardless of whether the player's hand outranks the dealer's hand.

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

(1) A player placing a Progressive Payout Wager shall be paid at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

*Envy Bonus Qualifying Hand*—A player's Four Card Poker hand with a rank of four-of-a-kind or better or a straight flush or better, as defined in § 641a.6(b) (relating to Four Card Poker rankings), depending on the payable selected by the certificate holder. ]

*Five-Card Envy Bonus*—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Four Card Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

*Five-Card Envy Bonus Qualifying Hand*—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 641a.6(d) (relating to Four Card Poker rankings).

*Five-Card Progressive Payout Hand*—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(d).

*Four-Card Envy Bonus*—An additional fixed sum payout made to a player who placed a Four-Card Progressive Payout Wager when another player at the Four Card Poker table is the holder of a Four-Card Envy Bonus Qualifying Hand.

*Four-Card Envy Bonus Qualifying Hand*—A player's Four Card Poker hand with a rank of four-of-a-kind or better or a straight flush or better, as defined in § 641a.6(b), depending on the payable selected by the certificate holder.

*Four-Card Progressive Payout Hand*—A player's Four Card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(b).

*Hand*—The Four Card Poker hand that is held by each player and the dealer after the cards are dealt.

*Play Wager*—An additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

[ *Progressive Payout Hand*—A player's Four Card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(b). ]

§ 641a.2. Four Card Poker table physical characteristics.

\* \* \* \* \*

(b) The layout for a Four Card Poker table shall be submitted to the Bureau of Gaming Operations and

approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(3) If the certificate holder offers either the [ optional ] Four or Five-Card Progressive Payout Wager authorized under § 641a.7(d)(4) or (5) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If the certificate holder offers the optional Bad Beat Bonus Wager authorized under § 641a.7(d)(6), a separate area designated for the placement of the Bad Beat Bonus Wager for each player.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Four Card Poker table.

(c) If a certificate holder offers [ a ] either the Four or Five-Card Progressive Payout Wager in accordance with § 641a.7(d)(4) or (5), the Four Card Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [ game systems ] games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

\* \* \* \* \*

§ 641a.6. Four Card Poker rankings.

\* \* \* \* \*

(c) When comparing two Poker hands that are of identical rank under subsection (b), or that contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not contained in the other hand, shall be considered the higher ranking hand. If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

(d) When the certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands must be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking.

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

(7) A three-of-a-kind, which is a hand consisting of three cards of the same rank.

§ 641a.7. Wagers.

\* \* \* \* \*

(d) The following wagers may be placed in the game of Four Card Poker:

\* \* \* \* \*

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Four Card Poker table the option to make an additional Four-Card Progressive Payout Wager that the player will receive a Four-Card Progressive Payout Hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Four-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Four-Card Progressive Payout Wager has been accepted.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Five-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Five-Card Progressive Payout Wager has been accepted.

(6) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Bad Beat Bonus Wager that either the player's hand contains a two pair or better and the dealer's hand outranks the player's hand, or the dealer's hand contains a two pair or better and the player's hand outranks the dealer's hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Bad Beat Bonus Wager by placing a value chip onto the designated area of the layout for that player. Winning wagers shall be paid out based on the rank of the losing hand.

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 641a.11. Procedures for completion of each round of play.

\* \* \* \* \*

(b) After each player has examined his cards and placed the cards face down on the layout, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Play Wager in an amount from one to three times the amount of the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player:

\* \* \* \* \*

(2) Has placed an Ante Wager and a Four or Five-Card Progressive Payout Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Progressive Payout Wager but may not forfeit the

eligibility to receive an Envy Bonus under § 641a.12(d) or (e) (relating to payout odds; Envy Bonus; rate of progression).

(c) After each player who has placed an Ante Wager has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and select the four cards that form the highest possible ranking Four Card Poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

\* \* \* \* \*

(5) The dealer shall then settle the player's **Four or Five-Card Progressive Payout Wager**, if offered by the certificate holder. **For the Five-Card Progressive Wager, the dealer shall form the highest ranking five-card Poker hand from the five cards dealt to each player.** A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

\* \* \* \* \*

(iv) Pay the winning **Four-Card Progressive Payout Wager** in accordance with the payout odds in § 641a.12(d) or the winning **Five-Card Progressive Payout Wager** in accordance with the payout odds in § 641a.12(e). If a player has won a progressive payout that is [ 100% ] a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(v) Pay any Envy Bonus [ won in accordance with § 641a.12(d). ] as follows:

(A) A player making a **Four-Card Progressive Payout Wager** shall receive [ an ] a **Four-Card Envy Bonus** when another player at the same Four Card Poker table is the holder of [ an ] a **Four-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple **Four-Card Envy Bonuses** if more than one other player is the holder of [ an ] a **Four-Card Envy Bonus Qualifying Hand**. A player is not entitled to [ an ] a **Four-Card Envy Bonus** for his own hand or the hand of the dealer. **Four-Card Envy Bonus payouts shall be made in accordance with the payouts in § 641a.12(d)(5).**

(B) A player making a **Five-Card Progressive Payout Wager** shall receive a **Five-Card Envy Bonus** when another player at the same Four Card Poker table is the holder of a **Five-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple **Five-Card Envy Bonuses** if more than one other player is the holder of a **Five-Card Envy Bonus Qualifying Hand**. A player is not entitled to a **Five-Card Envy Bonus** for his own hand or the hand of the dealer. **Five-Card Envy Bonus payouts shall be made in accordance with the payouts in § 641a.12(e)(5).**

(6) After settling any Aces Up Wagers, the dealer shall settle a player's **Bad Beat Bonus Wager**. A

player shall win a **Bad Beat Bonus** payout, in accordance with § 641a.12(f), based on the rank of the losing hand if:

(i) The player's hand contains a two pair or better and the dealer's hand outranks the player's hand.

(ii) The dealer's hand contains a two pair or better and the player's hand outranks the dealer's hand.

(d) After all wagers of the player have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 641a.12. Payout odds; Envy Bonus; rate of progression.

\* \* \* \* \*

(d) If a certificate holder offers a **Four-Card Progressive Payout Wager**:

(1) A player placing a **Four-Card Progressive Payout Wager** shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

\* \* \* \* \*

(4) Winning **Four-Card Progressive Payout Hands** shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 641a.11(c)(5) (relating to procedures for completion of each round of play).

(5) **Four-Card Envy Bonus** payouts shall be made according to one of the following payouts, selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2, for **Four-Card Envy Bonus Qualifying Hands** based upon the amount of the **Four-Card Progressive Payout Wager** placed by the player receiving the Envy Bonus:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Paytable A Envy Bonus</i>	<i>Paytable B Envy Bonus</i>
Four aces	\$100	\$100
Four-of-a-kind	\$10	\$25
Straight flush	\$5	N/A

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Paytable A Envy Bonus</i>	<i>Paytable B Envy Bonus</i>
Four aces	\$500	\$500
Four-of-a-kind	\$50	\$125
Straight Flush	\$25	N/A

(e) If a certificate holder offers the **Five-Card Progressive Payout Wager**:

(1) A player placing a **Five-Card Progressive Payout Wager** shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</i>
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least \$10,000.

(4) Winning Five-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 641a.11(c)(5).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$1,000
Straight flush	\$300

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$5,000
Straight flush	\$1,500

(f) If a certificate holder offers the Bad Beat Bonus Wager, the certificate holder shall pay out winning Bad Beat Wagers at the amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Four-of-a-kind	25,000 to 1	10,000 to 1
Straight flush	10,000 to 1	5,000 to 1
Three-of-a-kind	100 to 1	100 to 1
Flush	25 to 1	25 to 1
Straight	15 to 1	15 to 1
Two pair	4 to 1	4 to 1

**CHAPTER 643a. LET IT RIDE POKER**

**§ 643a.1. Definitions.**

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

*Community card*—A card which is used by all players to form a five-card Poker hand.

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

*Envy Bonus Qualifying Hand*—A mini-royal, as defined in § 643a.6(d) (relating to Let It Ride Poker rankings), formed using the three cards dealt to a player. ]

*Five-Card Envy Bonus*—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Let It Ride Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

*Five-Card Envy Bonus Qualifying Hand*—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 643a.6(b) (relating to Let It Ride Poker rankings).

*Five-Card Progressive Payout Hand*—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 643a.6(b).

*Hand*—The five-card Poker hand formed for each player by combining the three cards dealt to the player and the two community cards.

*Let It Ride*—When a player does not withdraw a wager as permitted under § 643a.11(b) and (d) (relating to procedures for completion of each round of play).

[ *Progressive Payout Hand*—A player's three cards with a rank of a three-of-a-kind or better or a straight or better, as defined in § 643a.6(d), depending on the payable selected by the certificate holder. ]

*Three-Card Envy Bonus*—An additional fixed sum payout made to a player who placed a Three-Card Progressive Wager when another player at the Let It Ride Poker table is the holder of a Three Card Envy Bonus Qualifying Hand.

*Three-Card Envy Bonus Qualifying Hand*—A mini-royal, as defined in § 643a.6(d), formed using the three cards dealt to a player.

*Three-Card Progressive Payout Hand*—A player's three cards with a rank of a three-of-a-kind or better or a straight or better, as defined in § 643a.6(d), depending on the payable selected by the certificate holder.

**§ 643a.2. Let It Ride Poker table physical characteristics.**

\* \* \* \* \*

(b) The layout for a Let It Ride Poker table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(7) If the certificate holder offers **either** the [ **optional** ] **Three or Five-Card** Progressive Payout Wager authorized under § 643a.7(g) **or** (h), a separate area designated for the placement of the Progressive Payout Wager for each player.

\* \* \* \* \*

(d) If a certificate holder offers **either** the **Three or Five-Card** Progressive Payout Wager in accordance with § 643a.7(g) **or** (h), the Let It Ride Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [ **game systems** ] games), for the placement of Progressive Payout Wagers. **If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table**



game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

\* \* \* \* \*

§ 643a.6. Let It Ride Poker rankings.

\* \* \* \* \*

(d) If the certificate holder offers the **Three-Card Progressive Payout Wager** under § 643a.7(g), the following hands eligible for a payout are:

\* \* \* \* \*

§ 643a.7. Wagers.

\* \* \* \* \*

(g) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player the option to make an additional **Three-Card Progressive Payout Wager** that the player will receive a **Three-Card Progressive Payout Hand**. After placing the Let It Ride Poker Wagers, a player may make an additional **Three-Card Progressive Payout Wager** by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective **Three-Card Progressive Payout Wager** has been accepted.

(h) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player the option to make an additional **Five-Card Progressive Payout Wager** that the player will receive a **Five-Card Progressive Payout Hand**. After placing the Let It Ride Poker Wagers, a player may make an additional **Five-Card Progressive Payout Wager** by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective **Five-Card Progressive Payout Wager** has been accepted.

(i) A Five Card Bonus Wager, Three Card Bonus Wager and Progressive Payout Wager do not have a bearing on any other wagers made by the player.

[(i)] (j) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 643a.11. Procedures for completion of each round of play.

\* \* \* \* \*

(f) After the second community card is turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

\* \* \* \* \*

(3) The dealer shall first settle all Let It Ride Poker Wagers of that player by collecting losing wagers and paying winning wagers in accordance with § 643a.12(a) (relating to payout odds; payout limitation). After settling the player's Let It Ride Poker Wagers, the dealer shall settle any Five Card Bonus Wagers, Three Card Bonus Wagers or Progressive Payout Wagers as follows:

\* \* \* \* \*

(iii) If a player placed a **Three-Card Progressive Payout Wager** and the three cards dealt to the player form a three-of-a-kind or better, as defined in [ § 643a.6(c) ]

§ 643a.6(d), or a straight or better, depending on the payable selected by the certificate holder, the dealer shall:

\* \* \* \* \*

(D) Pay the winning **Three-Card Progressive Payout Wager** in accordance with the payout odds in § 643a.12(d)(1). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(E) Pay any **Three-Card Envy Bonus** won in accordance with § 643a.12(d)(5). Players making a **Three-Card Progressive Payout Wager** shall receive [ an ] a **Three-Card Envy Bonus** when another player at the same Let It Ride Poker table is the holder of [ an ] a **Three-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple Envy Bonuses if more than one player is the holder of [ an ] a **Three-Card Envy Bonus Qualifying Hand**. A player is not entitled to [ an ] a **Three-Card Envy Bonus** for his own hand.

(iv) If a player placed a **Five-Card Progressive Payout Wager** and the player's three cards and the two community cards form a three-of-a-kind or better, as defined in § 643a.6(b), the dealer shall:

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

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

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

(D) Pay the winning **Five-Card Progressive Payout Wager** in accordance with the payout odds in § 643a.12(e)(1). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(E) Pay any **Five-Card Envy Bonus** won in accordance with § 643a.12(e)(5). Players making a **Progressive Payout Wager** shall receive a **Five-Card Envy Bonus** when another player at the same Let It Ride Poker table is the holder of a **Five-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple Envy Bonuses if more than one player is the holder of a **Five-Card Envy Bonus Qualifying Hand**. A player is not entitled to a **Five-Card Envy Bonus** for his own hand.

(g) After all wagers of the player have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 643a.12. Payout odds; payout limitation.

(a) Subject to the payout limitation in subsection [ (d) ] (f), a certificate holder shall pay out winning Let It Ride Poker Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules

Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

\* \* \* \* \*

(d) If a certificate holder offers the **Three-Card Progressive Payout Wager**:

(1) The certificate holder shall pay out winning **Three-Card Progressive Payout Wagers** at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

\* \* \* \* \*

(4) Winning **Three-Card Progressive Payout Wagers** shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 643a.11(f)(3)(iii) (relating to procedures for completion of each round of play).

(5) **Three-Card Envy Bonus** payouts shall be made according to the following payout for every **Three-Card Envy Bonus Qualifying Hand** based upon the amount of the **Three-Card Progressive Payout Wager** placed by the player receiving the **Envy Bonus**:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Mini-royal, spades	\$100
Mini-royal, hearts, diamonds, clubs	\$25

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Mini-royal, spades	\$500
Mini-royal, hearts, diamonds, clubs	\$125

(e) If a certificate holder offers the **Five-Card Progressive Payout Wager**:

(1) A player placing a **Five-Card Progressive Payout Wager** shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</i>
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least \$10,000.

(4) Winning **Five-Card Progressive Payout Hands** shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 643a.11(f)(3)(iv).

(5) **Five-Card Envy Bonus** payouts shall be made according to the following payouts for **Five-Card Envy Bonus Qualifying Hands** based upon the amount of the **Five-Card Progressive Payout Wager** placed by the player receiving the **Envy Bonus**:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$1,000
Straight flush	\$300

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$5,000
Straight flush	\$1,500

(f) Notwithstanding the payout odds in subsection (a), a certificate holder may establish in its Rules Submission under § 601a.2 a maximum amount that is payable to a player on a single hand. The maximum amount shall be at least \$50,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater. Any maximum payout limit established by a certificate holder shall apply only to payouts of Let It Ride Poker Wagers placed under § 643a.7(d) (relating to wagers) but may not apply to payouts of Five Card Bonus Wagers placed under § 643a.7(e), Three Card Bonus Wagers placed under § 643a.7(f) or Progressive Payout Wagers placed under § 643a.7(g) or (h).

**CHAPTER 647a. TEXAS HOLD 'EM BONUS POKER**

**§ 647a.1. Definitions.**

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

\* \* \* \* \*

*Community card*—A card which may be used by each player and the dealer to form the best possible five-card Poker hand.

*Envy Bonus*—An additional fixed sum payout made to a player who placed a **Progressive Payout Wager** when another player at the Texas Hold 'Em Bonus Poker table is the holder of an **Envy Bonus Qualifying Hand**.

*Envy Bonus Qualifying Hand*—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 647a.6(b) (relating to Texas Hold 'Em Bonus Poker rankings).

*Flop*—The first three community cards dealt during a round of play.

\* \* \* \* \*

*Hand*—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

*Progressive Payout Hand*—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 647a.6(b).

*River card*—The fifth and final community card dealt during a round of play.

\* \* \* \* \*

**§ 647a.2. Texas Hold 'Em Bonus Poker table physical characteristics.**

\* \* \* \* \*

(b) The layout for a Texas Hold 'Em Bonus Poker table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to

approval of table game layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(5) If the certificate holder offers the optional Texas Hold 'Em Bonus Wager authorized under § 647a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Texas Hold 'Em Bonus Wager for each player.

**(6) If a certificate holder offers the optional Progressive Payout Wager authorized under § 647a.7(d)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.**

(7) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Texas Hold 'Em Bonus Poker table.

[ (7) ] (8) Inscriptions indicating the following:

\* \* \* \* \*

[ (8) ] (9) If the information required under paragraph [ (7) ] (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Texas Hold 'Em Bonus Poker table.

**(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 647a.7(d)(3), the Texas Hold 'Em Bonus Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). 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."**

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

[ (d) ] (e) 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.

§ 647a.7. Wagers.

\* \* \* \* \*

(c) All Ante [ and ], Texas Hold 'Em Bonus and Progressive Payout Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 647a.8, § 647a.9 or § 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 647a.11(b), (d) and (f) (relating to procedure for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Texas Hold 'Em Bonus Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager then a Flop, Turn and River Wager in accordance with § 647a.11(b), (d) and (f).

(2) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Texas Hold 'Em Bonus Wager that the player's first two cards will qualify for a payout in accordance with § 647a.12(b) (relating to payout odds; payout limitation). A Texas Hold 'Em Bonus Wager shall have no bearing on any other wager made by the player.

**(3) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing the Ante Wager, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.**

(e) A player may not wager on more than one player position at a Texas Hold 'Em Bonus Poker table.

§ 647a.8. Procedure for dealing the cards from a manual dealing shoe.

\* \* \* \* \*

(b) Prior to dealing the cards and after all Ante and Texas Hold 'Em Bonus Wagers have been placed, the dealer shall announce "no more bets[.]" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Payout Wagers. If Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

\* \* \* \* \*

§ 647a.9. Procedure for dealing the cards from the hand.

\* \* \* \* \*

(b) The dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container. The dealer shall then deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed an Ante Wager in accordance with § 647a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have two cards.

\* \* \* \* \*

§ 647a.10. Procedure for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

\* \* \* \* \*

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets[.]" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Payout Wagers. If Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

\* \* \* \* \*

§ 647a.11. Procedure for completion of each round of play.

\* \* \* \* \*

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to place a Flop Wager prior to the dealing of the Flop. The player may either fold or place a Flop Wager equal to twice the amount of the player's Ante Wager. If a player:

\* \* \* \* \*

(2) Folds, the player's Ante Wager shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed [ a ]:

(A) A Texas Hold 'Em Bonus Wager, the dealer shall place the cards of the player face down underneath the Texas Hold 'Em Bonus Wager pending its resolution at the conclusion of the round of play.

(B) A Progressive Payout Wager, the player is not eligible to receive a Progressive Payout. The player's cards shall remain face down on the table

pending resolution of the Envy Bonus in accordance with subsection (i)(5).

(ii) Has not placed a Texas Hold 'Em Bonus Wager or a Progressive Payout Wager, the dealer shall immediately collect the player's cards and place them in the discard rack provided that if another player at the table placed a Progressive Payout Wager, the player's cards shall remain on the table pending the resolution of the Progressive Payout Wager in accordance with subsection (i).

\* \* \* \* \*

(i) The dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand and be based on the rank of the player's two cards and the three-card Flop. If a player has won a progressive payout, 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.

(4) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 647a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus won in accordance with § 647a.12(d). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Ultimate Texas Hold 'Em Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(j) After all wagers of the player have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 647a.12. Payout odds; payout limitation.

\* \* \* \* \*

(c) Notwithstanding the payout odds in subsections (a) and (b), the maximum aggregate payout limit on all winning Ante, Flop, Turn, River and Texas Hold 'Em Bonus Wagers for any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

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

(1) A player placing a Progressive Payout Wager shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</i>
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least \$10,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 647a.11(i) (relating to procedure for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$1,000
Straight flush	\$300

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$5,000
Straight flush	\$1,500

**CHAPTER 653a. ULTIMATE TEXAS HOLD 'EM POKER**

**§ 653a.2. Ultimate Texas Hold 'Em Poker table physical characteristics.**

\* \* \* \* \*

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 653a.7(d)(3), the Ultimate Texas Hold 'Em Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [ game systems ] games), for the placement of Progressive Payout Wagers. **If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games).** The progressive table game system must include:

\* \* \* \* \*

**§ 653a.11. Procedures for completion of each round of play.**

\* \* \* \* \*

(j) The dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand **and be based on the rank of the player's two cards**

**and the three-card Flop.** If a player has won a progressive payout, the dealer shall:

\* \* \* \* \*

**§ 653a.12. Payout odds; Envy Bonus; rate of progression; payout limitation.**

\* \* \* \* \*

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

\* \* \* \* \*

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed **from the player's two cards and the three-card Flop.**

\* \* \* \* \*

**CHAPTER 655a. MISSISSIPPI STUD**

**§ 655a.2. Mississippi Stud table physical characteristics.**

\* \* \* \* \*

(c) If a certificate holder offers the Progressive Payout Wager, in accordance with § 655a.7(d)(3), the Mississippi Stud table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [ games systems ] games), for the placement of Progressive Payout Wagers. **If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games).** The progressive table game system must include:

\* \* \* \* \*

**§ 655a.11. Procedures for completion of each round of play.**

\* \* \* \* \*

(i) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's cards. The dealer shall then evaluate and announce the best possible five-card Poker hand that can be formed using the player's two cards and the three community cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All wagers shall be settled as follows:

\* \* \* \* \*

(4) After settling the player's Mississippi Stud Wager, the dealer shall settle the Progressive Payout or Three Card Bonus Wager, if offered by the certificate holder, as follows:

(i) If a player has won the progressive payout, the dealer shall:

\* \* \* \* \*

(D) Pay the winning Progressive Payout Wager in accordance with § 655a.12(c)(1). If a player has won a progressive payout that is [ 100% ] a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

\* \* \* \* \*

CHAPTER 657a. CRAZY 4 POKER

§ 657a.1. Definitions.

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

[ *Envy Bonus*—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Crazy 4 Poker table is the holder of an Envy Bonus Qualifying Hand.

*Envy Bonus Qualifying Hand*—A player’s four-card Poker hand with a rank of four-of-a-kind or, if included in the payable selected by the certificate holder, a straight flush, as defined in § 657a.6(b) (relating to Crazy 4 Poker rankings). ]

*Five-Card Envy Bonus*—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Crazy 4 Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

*Five-Card Envy Bonus Qualifying Hand*—A player’s five-card Poker hand with a rank of a straight flush or better, as defined in § 657a.6(d) (relating to Crazy 4 Poker rankings).

*Five-Card Progressive Payout Hand*—A player’s five-card Poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(d).

*Four-Card Envy Bonus*—An additional fixed sum payout made to a player who placed a Four-Card Progressive Payout Wager when another player at the Crazy 4 Poker table is the holder of a Four-Card Envy Bonus Qualifying Hand.

*Four-Card Envy Bonus Qualifying Hand*—A player’s four-card Poker hand with a rank of four-of-a-kind or, if included in the payable selected by the certificate holder, a straight flush, as defined in § 657a.6(b).

*Four-Card Progressive Payout Hand*—A player’s four-card Poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(b).

*Hand*—The four-card Poker hand that is held by each player and the dealer after the cards are dealt.

\* \* \* \* \*

[ *Progressive Payout Hand*—A player’s four-card Poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(b). ]

\* \* \* \* \*

§ 657a.2. Crazy 4 Poker table physical characteristics.

\* \* \* \* \*

(b) The layout for a Crazy 4 Poker table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(3) If the certificate holder offers either the [ optional ] Four or Five-Card Progressive Payout Wager authorized under § 657a.7(d)(3) or (4) (relating to wa-

gers), a separate area designated for the placement of the Progressive Payout Wager for each player.

\* \* \* \* \*

(c) If a certificate holder offers [ a ] either a Four or Five-Card Progressive Payout Wager in accordance with § 657a.7(d)(3) or (4), the Crazy 4 Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [ game systems ] games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

\* \* \* \* \*

§ 657a.6. Crazy 4 Poker rankings.

\* \* \* \* \*

(c) When comparing two Poker hands that are of identical rank under subsection (b), or that contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not in the other hand, shall be considered the higher ranking hand. If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

(d) If the certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands must be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking.

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

(7) A three-of-a-kind, which is a hand consisting of three cards of the same rank.

§ 657a.7. Wagers.

\* \* \* \* \*

(d) The following wagers may be placed in the game of Crazy 4 Poker:

\* \* \* \* \*

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Crazy 4 Poker table the option to make an additional Four-Card Progressive Payout Wager that the player will receive a Four-Card Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Four-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player’s respective Progressive Payout Wager has been accepted.

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Crazy 4 Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Five-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Five-Card Progressive Payout Wager has been accepted.

(e) A player may not wager on more than one player position at a Crazy 4 Poker table.

§ 657a.11. Procedures for completion of each round of play.

\* \* \* \* \*

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed Ante and Super Bonus Wagers if he wishes to forfeit the Ante and Super Bonus Wagers and end his participation in the round of play or make a Play Wager in an amount equal to the player's Ante Wager. A player who has a pair of aces or better may place a Play Wager in an amount up to three times the player's Ante Wager. If a player:

\* \* \* \* \*

(2) Has placed Ante, Super Bonus and [ a ] Four or Five-Card Progressive Payout Wagers but does not make a Play Wager, the player shall forfeit all three wagers [ and ] but may not forfeit the eligibility to receive an Envy Bonus under § 657a.12(d)(5) or (e)(5) (relating to payout odds; Envy Bonus; rate of progression).

\* \* \* \* \*

(e) After settling a player's Ante, Play, Super Bonus and Queens Up Wagers, the dealer shall then settle the Four-Card or Five-Card Progressive Payout Wager, if offered by the certificate holder. For the Five-Card Progressive Payout Wager, the dealer shall form the highest ranking five-card Poker hand from the five cards dealt to each player. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

\* \* \* \* \*

(4) Pay the winning Four-Card Progressive Payout Wager in accordance with the payout odds in § 657a.12(d)(1) or the winning Five-Card Progressive Payout Wager in accordance with the payout odds in § 657a.12(e)(1). If a player has won a progressive payout that is [ 100% ] a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus [ won in accordance with § 657a.12(d)(5). ] as follows:

(A) Players making a Four-Card Progressive Payout Wager shall receive [ an ] a Four-Card Envy Bonus when another player at the same Crazy 4 Poker table is the holder of [ an ] a Four-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Four-Card Envy Bonuses if more than one other player is the holder of [ an ] a Four-Card Envy Bonus Qualifying Hand. A player is not entitled to [ an ] a Four-Card Envy Bonus for his own hand or the hand of the dealer. Four-Card Envy Bonus payouts shall be made in accordance with the payouts in § 657a.12(d)(5).

(B) Players making a Five-Card Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Crazy 4 Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Five-Card Envy Bonuses if more than one other player is the holder of a Five-Card Envy Bonus Qualifying Hand. A player is not entitled to a Five-Card Envy Bonus for his own hand or the hand of the dealer. Five-Card Envy Bonus payouts shall be made in accordance with the payouts in § 657a.12(e)(5).

(f) After all wagers have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 657a.12. Payout odds; Envy Bonus; rate of progression.

\* \* \* \* \*

(d) If a certificate holder offers the Four-Card Progressive Payout Wager:

(1) A player placing a Four-Card Progressive Payout Wager shall be paid at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

\* \* \* \* \*

(4) Winning Four-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 657a.11(e) (relating to procedures for completion of each round of play).

(5) Four-Card Envy Bonus payouts shall be made according to the following payout schedules for Four-Card Envy Bonus Qualifying Hands based upon the amount of the Four-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

(i) If the certificate holder selects payable A from paragraph (1), the payout shall be:

<i>\$1 Progressive Payout Wager</i>	
<i>Hand</i>	<i>Envy Bonus</i>
Four aces	\$100
Four-of-a-kind	\$10
Straight flush	\$5
<i>\$5 Progressive Payout Wager</i>	
<i>Hand</i>	<i>Envy Bonus</i>
Four aces	\$500
Four-of-a-kind	\$50
Straight flush	\$25

(ii) If the certificate holder selects payable B from paragraph (1), the payout shall be:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Four aces	\$100
Four-of-a-kind	\$25

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Four aces	\$500
Four-of-a-kind	\$125

(e) If a certificate holder offers the Five-Card Progressive Payout Wager:

(1) A player placing a Five-Card Progressive Payout Wager shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</i>
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least \$10,000.

(4) Winning Five-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 657a.11(e).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

*\$1 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$1,000
Straight flush	\$300

*\$5 Progressive Payout Wager*

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$5,000
Straight flush	\$1,500

[Pa.B. Doc. No. 13-769. Filed for public inspection April 26, 2013, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

On April 16, 2013, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Brodhead Watershed Association, requests the amendment of 25 Pa. Code § 93.9c (relating to Drainage List C) to redesignate Cranberry Creek in Monroe County from High Quality-Cold Water Fishes, Migratory Fishes (HQ-CWF, MF) to Exceptional Value (EV) designation.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. The petition is also accessible on the Department's web site at [http://www.portal.state.pa.us/portal/server.pt/community/environmental\\_quality\\_board/14005/eqb\\_meeting\\_schedule\\_2013/1339599](http://www.portal.state.pa.us/portal/server.pt/community/environmental_quality_board/14005/eqb_meeting_schedule_2013/1339599) (see April 16, 2013, meeting).

E. CHRISTOPHER ABRUZZO,  
*Acting Chairperson*

[Pa.B. Doc. No. 13-770. Filed for public inspection April 26, 2013, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 16, 2013.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-12-2013	<i>From:</i> Polonia Bank Huntingdon Valley Montgomery County  <i>To:</i> Polonia Bank Huntingdon Valley Montgomery County  Application for approval to convert from a Federal savings bank to a Pennsylvania State-chartered savings bank.	Withdrawn

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-5-2013	Customers Bank Phoenixville Chester County	99 Park Avenue New York New York	Withdrawn
4-16-2013	Investment Savings Bank Altoona Blair County	200 Patchway Road Duncansville Blair County	Approved
4-16-2013	Peoples Neighborhood Bank Hallstead Susquehanna County	301 Mulberry Street Scranton Lackawanna County	Approved
4-16-2013	Merchants Bank of Bangor Bangor Northampton County	2 West Broad Street Bethlehem Northampton County	Filed

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-12-2013	United Bank of Philadelphia Philadelphia Philadelphia County	3750 Lancaster Avenue Philadelphia Philadelphia County	Closed

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

## Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-2-2013	<i>From:</i> Crayola, LLC Employees Credit Union Easton Northampton County  <i>To:</i> Crayola, LLC Employees Federal Credit Union Easton Northampton County  Conversion from a Pennsylvania State-chartered credit union to a Federally-chartered credit union.	Effective

## Branch Applications

## De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-9-2013	Belco Community Credit Union Harrisburg Dauphin County	205 South Front Street Harrisburg Dauphin County	Filed

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

GLENN E. MOYER,  
Secretary

[Pa.B. Doc. No. 13-771. Filed for public inspection April 26, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed

discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0029416 (Sewage)	Camp Weequahic Newbury, LLC. 210 Woods Road Lakewood, PA 18439-3945	Wayne County Preston Township	Unnamed Tributary to Sly Lake High Quality-Cold Water Fishes, Migratory Fishes Watershed 01A	Y
PA0061719 (Sewage)	Little Washington Wastewater Company Pinecrest Wastewater Treatment Facility Tobyhanna Township, PA 18466	Monroe County Tobyhanna Township	Beaver Creek (2-A)	Y
PA0036081 (Sewage)	Wynnewood Terrace 1143 Wellington Circle Laurys Station, PA 18078	Lehigh County North Whitehall Township	Lehigh River (2-C)	Y
PA0060917 (Sewage)	Country Crest MHP Route 29 Hunlock Creek, PA 18621	Luzerne County Lehman Township	Unnamed Tributary of Hunlock Creek (5-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080608 (Sew)	Fellowship of Bible Churches— Camp Tohiglo 1670 Fort Loudon Road Mercersburg, PA 17236	Franklin County / Montgomery Township	Licking Creek / 12-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0229245	Shawville Post Office Shawville, PA 16873	Clearfield County, Goshen Township	Trout Run (8-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0206016 Sewage	Donald Gardner 25 Old Plank Rd Washington, PA 15301	Washington County S Franklin Township	Chartiers Creek	Y
PA0098761 Sewage	NWL Co US Rte 40 E Farmington, PA 15437	Fayette County Wharton Township	UNT to Deadman Run	Y
PA0027651 Sewage	W Newton Boro SR 3039 W Newton, PA 15089	Westmoreland County W Newton Boro	UNT to Youghiogheny River & Youghiogheny River	Y
PA0094064 Sewage	Gary Ritchey 190 Keystone Dr Loretto, PA 15940	Cambria County Munster Township	UNT to Noels Creek	Y
PA0217824 Sewage	YMCA of Greater PGH 290 Narrows Rd Fombell, PA 16123-2224	Beaver County Marion Township	Connoquenessing Creek	Y
PA0094013 Sewage	Hilary C. Hoffer Greensburg, PA 15601	Westmoreland County Unity Township	UNT to Brinker Run	Y
PA0098663 Sewage	Wallace J. Woodhouse RTE 519 & I 70 Eighty Four, PA 15330	Washington County Somerset Township	UNT of Chartiers Creek	Y
PA0217743 Sewage	Days Inn Donegal Donegal, PA 15628	Westmoreland County Donegal Township	Minnow Run	Y
PA0205931 Sewage	Menallen Township Sew Auth PO Box 576 New Salem, PA 15468	Fayette County Menallen Township	Redstone Creek	Y
PA0096466 Sewage	PA SVCS Corp 158 Portal Rd Waynesburg, PA 15370	Greene County Franklin Township	UNT to Smith Creek	Y
PA0041114 Sewage	Kiski School 1888 Brett Lane Saltsburg, PA 15681-8951	Westmoreland County Loyalhanna Township	Kiskiminetas River	Y
PA0043435 Sewage	L & S Wastewater Inc Parkwood Circle Cecil, PA 15321-1206	Washington County Cecil Township	UNT to Coal Run	Y
PA0216330 Sewage	PA Turnpike Commission 256 Foxwood Rd Wampum, PA 16157	Beaver County Big Beaver Boro	Clarks Run	Y
PA0093475 Sewage	Findlay Township Muni Auth PO Box 409 1271 RT 30 Clinton, PA 15026	Allegheny County Findlay Township	Potato Garden Run	Y
PA0218944 Sewage	Franklin Fayette Sew Auth Hursch & Burma Rds Smock, PA 15480	Fayette County Franklin Township	Redstone Creek	Y
PA0204854 Sewage	D'Atri, Inc. 320 Sunset Drive Baden, PA 15005	Beaver County New Sewickley Township	UNT of Pine Run	Y
PA0096652 Sewage	Miley Motor Sports PO Box 4530 PGH, PA 15205	Allegheny County N Fayette Township	UNT to Half Crown Run	Y
PA0096067 Sewage	Mt Pleasant Area Sch Dist SR 2021 Norvelt, PA 15674	Westmoreland County Mt Pleasant Township	Sewickley Creek	Y
PA0253227 Sewage	Armstrong County SR 4023 Adrian, PA 16210	Armstrong County E Franklin Township	Limestone Run	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0030929 Sewage	Torrance ST. Hosp. PO Box 111 Torrance, PA 15779-0111	Westmoreland County Derry Township	Tanery Hollow	Y
PA0095524 Sewage	Tri Community Sew Auth Trtmt Plt Rd Robinson, PA 15949	Indiana County W Wheatfield Township	Conemaugh River	Y
PA0218740 Sewage	Mt Pleasant Township SR 981 Norvelt, PA 15674	Westmoreland County Mt Pleasant Township	Boyer Run	Y

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

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

**PA0026085**, Sewage, SIC Code 4952, **Upper Merion Municipal Utility Authority**, 175 W Valley Forge Road, King Of Prussia, PA 19406. Facility Name: Matsunk WPCC. This existing facility is located in Upper Merion Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Matsunk Water Pollution Control Center located at 600 McCoys Lane, Swedeland, PA 19406.

The receiving stream(s), Frog Run Tributary to Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The point of first use is the Schuylkill River. The nearest public water supply intake is for the City of Philadelphia-Queen Lane Intake located on the Schuylkill River.

The proposed effluent limits for Outfall 002 are based on annual average design flow of 5.5 MGD and maximum monthly design flow of 6.88 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	1,033	1,549	XXX	18	27	36
Nov 1 - Apr 30	1,434	2,180	XXX	25	38	50
BOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1,721	2,582	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	344	XXX	XXX	6.0	XXX	12.0
Nov 1 - Apr 30	1,033	XXX	XXX	18.0	XXX	36.0
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
PCBs (Dry Weather) (pg/L)						
(Interim)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
PCBs (Wet Weather) (pg/L)						
(Interim)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

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

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Annual Average		
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX

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

- No Stormwater in Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Minimization
- Notification of Responsible Operator
- O&M Plan
- Fecal Limits
- Pretreatment Program
- Whole Effluent Toxicity Monitoring

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 not in effect.

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

**PAS212221**, Storm Water, SIC Code 3273, **Masters RMC, Inc.**, P. O. Box 25, Kingsley, PA 18826-0025. Facility Name: Masters RMC, Inc.—Starlight Plant. This existing facility is located in Buckingham Township, **Wayne County**.

Description of Activity: The application is for a new NPDES permit for an existing discharge of treated Storm Water.

The receiving stream, an Unnamed Tributary to Shehawken Creek, is located in State Water Plan watershed 01A and is classified for High Quality Waters—Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are:

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements applicable to stormwater outfalls.

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

The EPA Waiver is in effect.

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

**PA0052485**, Sewage, SIC Code 6515, **Mountain Springs MHP**, PO Box 365, Shartlesville, PA 19554-0365. Facility Name: Mountain Springs MHP. This existing facility is located in Upper Bern Township, **Berks 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), Mill Creek, is located in State Water Plan watershed 3-B 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 0.035 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.64
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Geo Mean						
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	8.0	XXX	16
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40

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

The EPA Waiver is in effect.

**PA0029335**, Sewage, SIC Code 7032, **PA Lions Beacon Lodge Camp**, 114 SR 103 South, Mount Union, PA 17066-9601. Facility Name: Beacon Lodge Camp. This existing facility is located in Wayne Township, **Mifflin 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), Sugar Valley Run, is located in State Water Plan watershed 12-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Total Annual</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.4	XXX	1.0
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	XXX	Report	XXX	Geo Mean Report Annl Avg	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
Total Phosphorus	XXX	Report	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0260797**, SIC Code 8661, **Clappertown CMA Church**, 3239 Piney Creek Road, Williamsburg, PA 16693. Facility Name: Clappertown CMA Church Properties. This existing facility is located in Huston Township, **Blair 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 Piney Creek, is located in State Water Plan watershed 11-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Geo Mean	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	5	XXX	10
Nov 1 - Apr 30	XXX	XXX	XXX	15	XXX	30

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

The EPA Waiver is in effect.

**PA0082538**, SIC Code 4941, **Altoona Water Authority**, 900 Chestnut Avenue, Altoona, PA 16601-4617. Facility Name: Altoona City Water System (Horseshoe Curve Plant). This existing facility is located in Logan Township, **Blair County**.

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

The receiving stream(s), Burgoon Run, is located in State Water Plan watershed 11-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 0.36 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
Total Residual Chlorine	XXX	XXX	XXX	0.4	XXX	1.4
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Nitrogen	XXX	Report	XXX	Report	XXX	XXX
Total Phosphorus	XXX	Total Annual Report	XXX	Annl Avg Report	XXX	XXX
Total Aluminum	6.3	Report	XXX	4.0	8.0	9.0
Total Iron	3.2	Report	XXX	2.0	4.0	5.0
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

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

**PA0232378**, Sewage, SIC Code 4952, **Max J. Showver**, 1773 Seven Kitchens Road, Winfield, PA 17889. Facility Name: M. Showver SRSTP. This proposed facility is located in Union Township, **Union County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 10-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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



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

The EPA Waiver is in effect.

**PA0228427**, CAFO [SIC Code 0213 Swine], **Country View Family Farms LLC** (Pine Hill Farms CAFO), 1301 Fulling Mill Road, Middletown, PA 17057.

This proposed facility is located in Wells Township, **Bradford County**.

Description of Proposed Activity: The existing CAFO is designed to maintain an animal population of approximately 3244 animal equivalent units (AEUs) consisting of 27,012 Swine. Manure is collected and stored in shallow pits, deep pits and lagoons.

The receiving stream, Mill Creek, is in the State Water Plan watershed #4A and is classified for: TSF, MF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

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

**PA0002054 A-2**, SIC Code 4911, **Genon Wholesale Generation LP**, 595 Plant Road, New Florence, PA 15944-8927. Facility Name: Seward Power Plant. This existing facility is located in East Wheatfield Township, **Indiana County**.

Description of Existing Activity: The amendment application is for the addition of a new Outfall (Outfall 006) to the existing NPDES permit. Outfall 006 will be comprised of treated effluent from the Groundwater Collection and Treatment System.

The receiving stream(s), Conemaugh River, is located in State Water Plan watershed 18-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 006 are based on a design flow of 0.216 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35	70	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron	XXX	XXX	XXX	1.5	2.3	XXX
Total Manganese	XXX	XXX	XXX	0.64	1.0	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

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

The EPA Waiver is not in effect.

**NPDES PA0036293**, Sewage, **Robinson Township Municipal Authority**, PO Box 15539, Pittsburgh, PA 15244-0539. Facility Name: Campbells Run STP. This existing facility is located in Robinson 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, Campbells Run, is located in State Water Plan watershed 20-F 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 1.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.3
CBOD <sub>5</sub>	208	312	XXX	25	37.5	50
		Wkly Avg				

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	250	375	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

The EPA Waiver is not in effect.

**PA0025941-A1**, Sewage, **Canonsburg-Houston Joint Authority**, 68 E Pike Street, Canonsburg, PA 15317-1375. Facility Name: Canonsburg Houston Joint Authority WWTP. This existing facility is located in Cecil Township, **Washington County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated Sewage. The plant is being rerated from a flow of 5.0 mgd to 6.0 mgd.

The receiving stream, Chartiers Creek, is located in State Water Plan watershed 20-F 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 6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
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	0.4	XXX	1.0
CBOD <sub>5</sub>						
May 1 - Oct 31	1,001.4	1,502.1	XXX	20	30	40
Nov 1 - Apr 30	1,251.8	1,877.6	XXX	25	37.5	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	1,502.1	2,253.2	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Ammonia-Nitrogen						
May 1 - Oct 31	175.4	265.5	XXX	3.5	5.3	7.0
Nov 1 - Apr 30	350.7	526.1	XXX	7.0	10.5	14.0
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Free Available Cyanide (µg/L)						
(Interim)	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
(Final)	851.7	1,352.7	XXX	17	27	XXX
		Daily Max			Daily Max	

The EPA Waiver is not in effect.

**PA0027618**, Sewage, SIC Code 4952, **Bethel Park Municipal Authority**, 5100 W Library Avenue, Bethel Park, PA 15102-2787. Facility Name: Piney Fork STP. This existing facility is located in Bethel Park Borough, **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), Piney Fork, is located in State Water Plan watershed 19-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	6	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.16	XXX	0.53
(Final)	XXX	XXX	XXX	0.024	XXX	0.08
CBOD <sub>5</sub>						
May 1 - Oct 31	410	615	XXX	10	15	XXX
Nov 1 - Apr 30	1,026	1,559	XXX	25	38	XXX
BOD <sub>5</sub>						
Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,231	1,847	XXX	30	45	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10000
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	82	123	XXX	2	3	XXX
Nov 1 - Apr 30	164	246	XXX	4	6	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

The EPA Waiver is not in effect.

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

**PA0272639**, Sewage, SIC Code 8800, **Lawrence D. Scanlon**, 110 Shadow Lane, Coraopolis, PA 15108. Facility Name: Lawrence D. Scanlon SRSTP. This proposed facility is located in Springfield Township, **Erie County**.

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

The receiving stream, an Unnamed Tributary to the Raccoon Creek, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

**PA0026301**, Sewage, SIC Code 4952, **Erie City Sewer Authority Erie County**, 120 W 10th Street, Erie, PA 16501-1410. Facility Name: Erie City STP. This existing facility is located in Erie City, **Erie County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage. This is a re-draft of a permit originally in the *Pennsylvania Bulletin* on July 21, 2012.

The receiving stream(s), Lake Erie (Outer Erie Harbor and Presque Isle Bay) for Outfalls 001, 001A and 043, Mill Creek for Outfalls 002, 003, 008, 014 and 030 and Garrison Run for Outfalls 903-908 are located in State Water Plan watershed 15 and are classified for warm water fishes, migratory fishes (for Mill Creek), aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001/001A are based on a design flow of 68.6 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Geometric Mean</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
				Avg Mo		
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
E. Coli (No./100 ml)						
May 1 - Sep 30 (Interim)	XXX	XXX	XXX	Report	XXX	Report
May 1 - Sep 30 (Final)	XXX	XXX	XXX	126	XXX	575

The proposed effluent limits for Suboutfall 101 are based on a design flow of 68.6 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	14,303	22,885	XXX	25	40	50
Total Suspended Solids	17,164	25,746	XXX	30	45	60
Total Phosphorus	572	XXX	XXX	1.0	XXX	XXX
Total Mercury (ng/L)						
(Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	0.0007	XXX	XXX	1.3	XXX	2.6

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Geometric Mean</i>		
Flow (MGD)*	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine*	XXX	XXX	XXX	XXX	XXX	1.6
Fecal Coliform (CFU/100 ml)*						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX

The proposed effluent limits for Suboutfall 201 are based on a design flow of N/A MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)*	Report	XXX	XXX	XXX	XXX	XXX

\*- Monitor only when discharging

Combined Sewer Overflow discharge points: Outfalls 003, 008, 014, 030 & 043. Stormwater Associated with Industrial Activities discharge points: Outfalls 903—908.

The permit has been developed consistent with the Great Lakes Initiative requirements.

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

- Chlorine Minimization
- Implementation of a Federal Pretreatment Program
- Stormwater Best Management Practices
- Combined Sewer Overflow related bypass
- Combined Sewer Overflow
- Annual, Whole Effluent Toxicity testing requirement
- Electronic Discharge Monitoring 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.

**PA0101656**, Industrial Waste, SIC Code 1389, **Dominion Transmission Inc.**, 654 Carson Hill Road, Luthersburg, PA 15848-4312. Facility Name: Dominion Transmission Division 5 WWTP. This existing facility is located in Henderson Township, **Jefferson County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of shallow groundwater and uncontaminated stormwater. This is a re-draft of the first permit, due to substantial changes in the facility operations. Changes from the first draft include removal of Outfall 101 (former brine treatment discharge), removing of Outfall 201 (groundwater discharge), and moving those monitoring requirements to Outfall 001; removal of a number of special conditions in Part C of the permit; addition of waste load allocations for iron and total suspended solids; and monitoring for aluminum and manganese at Outfall 001. The facility no longer accepts and treats wastewater from the oil and gas industry, and treatment tanks have been cleaned out.

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

The proposed effluent limits for Outfall 001 are based on a design flow that varies.

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
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	2.5	XX	XX	Report	XXX	XXX
Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	0.29	XXX	XXX	Report	XXX	XXX
Manganese	XXX	XX	XX	Report	XXX	XXX

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

- Prohibition of Non-stormwater Discharges

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.

**PA0005860**, Industrial Waste, SIC Code 2022, **Dairy Farmers Of America Inc.**, 925 State Route 18, New Wilmington, PA 16142-5023. Facility Name: Dairy Farmers of America—New Wilmington. This existing facility is located in Wilmington Township, **Lawrence 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 streams are an un-named tributary to Little Neshannock Creek, un-named tributary to Buchanan Run, and the Shenango River, and are located in State Water Plan watershed 20-A. The un-named tributary to Neshannock Creek is classified for trout stocking fishes while the un-named tributary to Buchanan Run and the Shenango River are classified for warm water fishes. All streams are also classified for: aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 and monitoring point 101 are based on a design flow of 0.5 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	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
BOD <sub>5</sub>	355	880	XXX	report	report	150
Total Suspended Solids	530	1,325	XXX	report	report	225
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Nov 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	Geo Mean 10,000 Geo Mean

The proposed effluent limits for storm water Outfalls 002, 003, 004, and 005 are based on a design flow of NA 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	report	XXX	XXX	report
Total Residual Chlorine	XXX	XXX	XXX	report	report	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	report	report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	report	report	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	report	report	XXX
Oil and Grease	XXX	XXX	XXX	report	report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	report	report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	report	report	XXX
Total Phosphorus	XXX	XXX	XXX	report	report	XXX
Total Iron	XXX	XXX	XXX	report	report	XXX

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 0713401**, Sewerage, **Altoona Water Authority**, 900 Chestnut Avenue, Altoona, PA 16601.

This proposed facility is located in Altoona City & Logan Township, **Blair County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of the Pleasant Valley Boulevard Interceptor Sewer Replacement. This project includes construction of a sanitary sewage lift station facility, installation of 5,600 L.F. of 30"-36" gravity sanitary sewer pipe, 5,200 L.F. of 18" force main and appurtenances in city streets and commercial private property. This project resulted from the corrective action plan which revealed hydraulic capacity issues with the existing interceptor at this location.

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

**WQM Permit No. 3213400**, Sewerage, **Saltsburg Boro**, 320 Point St., Saltsburg, PA 15681

This proposed facility is located in Saltsburg Boro, **Indiana County**

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

**WQM Permit No. 6384422-A2**, Sewerage, **N Strabane Township Muni Auth**, 1929 Rte 519 S, Canonsburg, PA 15317

This existing facility is located in N Strabane Township, **Washington County**

Description of Proposed Action/Activity: Application for permit amendment.

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

**WQM Permit No. WQG01161301**, Sewerage, **Tammy Kellogg**, 911 Bus Road, New Bethlehem, PA 16242.

This proposed facility is located in Porter Township, **Clairon County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. 4298201**, Industrial Waste, **Amendment, Zippo Manufacturing Company**, 33 Barbour Street, Bradford, PA 16701.

This existing facility is located in Bradford Township, **McKean County**.

Description of Proposed Action/Activity: Amendment for installation of wastewater equalization system.

**WQM Permit No. WQG018672**, Sewage, **John & Kathye Schutt**, 10492 Oliver Road, McKean, PA 16426.

This existing facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Transfer of a permit for a single residence sewage treatment plant.

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

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

**PAI130520**, MS4, **East Goshen Township Chester County**, 1580 Paoli Pike, West Chester, PA 19380-6107. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in East Goshen Township, **Chester County**. The receiving stream(s), East Branch Chester Creek and Ridley Creek, are located in State Water Plan watershed 3-G and is classified for High Quality Waters—Trout Stocking, Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

**PAI130002**, SIC 9199, MS4, **Salford Township Montgomery County**, 139 Ridge Road, P. O. Box 54, Tylersport, PA 18971. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Salford Township, **Montgomery County**. The permit replaces a previously issued general permit. The receiving stream(s), East Branch Perkiomen Creek and Ridge Valley Creek, is located in State Water Plan watershed 3-E and is classified for High Quality Waters—Trout Stocking, Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010913002	Zaveta Custom Homes, LLC 2774 Sugan Road Solebury, PA 18693	Bucks	Solebury Township	Paunnacussing Creek HQ-CWF
PAI011513012	Stoltzfus Enterprises, Inc. 22 E. Main Street Elverson, PA 19520	Chester	East Nantmeal Township	South Branch French Creek EV
PAI011513003	Pennsylvania Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Chester	Charlestown Township	Valley Creek EV Pickering Creek HQ-TSF-MF

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033613005	Galen Nolt 222 Little Britain Church Rd. Peach Bottom, PA, 17563	Lancaster	Fulton Township	Puddle Duck Creek to Little Conowingo Creek (HQ-CWF, MF)

*Northcentral Region: Waterways & Wetlands 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041813001	Robert Carlson 116 S Sportsman Rd Loganton PA 17747	Clinton	Logan Township	UNT to Fishing Creek HQ-CWF, MF

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

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI055613001	Pennsylvania Turnpike Commission PO Box 67676 Harrisburg, PA 17106	Somerset	Somerset County: Jefferson Township Westmoreland County: Donegal Township, Cook Township	Clear Run (CWF), Indian Creek (CWF), Laurel Hill Creek (HQ-CWF)
PAI055613002	Ridge Energy Company, Inc. 265 Swamp Road Suite 3000 Clymer, PA 15278	Somerset	Stonycreek Township	Schrock Run (HQ-CWF)

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

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PAG-12      CAFOs

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#### CAFO Notices of Intent Received

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

**PAG123665**, CAFO, **Kerek Musser**, 2604 Hossler Road, Manheim, PA 17545.

This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 396 AEU Poultry Operation Permit Renewal.

The receiving stream, UNT Back Run, is in watershed 7-G, and classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123746**, CAFO, **Andrew Laffey**, Glenville Farms, 2084 Glenville Road, Cochranville, PA 19330.

This proposed facility is located in West Fallowfield Township, **Chester County**.

Description of Size and Scope of Proposed Operation/Activity: 3,227 AEU Dairy Operation Permit Renewal.

The receiving stream, Muddy Run, is in watershed 7-K, and classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**STATE CONSERVATION COMMISSION**

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Edward H. Martin 14435 Old Turnpike Road Millmont PA 17845	Union	271.6	682.85	Finishing Swine	Rapid Run: HQ-CWF	New

**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 determi-



nation may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### SAFE DRINKING WATER

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

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

##### Application No. 3513503, Public Water Supply.

Applicant **PCR Reality, LLC**  
 [Township or Borough] Greenfield Township  
**Lackawanna County**  
 Responsible Official William R. Powell, Owner  
 RD #1, Box 25  
 Carbondale, PA 18407-3810  
 Type of Facility Community Water System  
 Consulting Engineer Bruce Rader, PA  
 Berks Surveying &  
 Engineering, Inc.  
 311 East Main Street  
 Fleetwood, PA 19522  
 610-944-8528  
 Application Received Date April 8, 2013  
 Description of Action Application for installation of a granular activated carbon treatment system for removal of MTBE at the Lake Mart, located in Greenfield, PA.

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

##### Permit No. 3613501, Public Water Supply.

Applicant **Morgan Corporation**  
 Municipality Brecknock Township  
 County **Lancaster**  
 Responsible Official Douglas J Sanders,  
 Environmental Health &  
 Safety Manager  
 PO Box 588  
 Morgantown, PA 19543  
 Type of Facility Public Water Supply  
 Consulting Engineer Christina Crawford MBA, P.E.  
 Spotts, Stevens & McCoy, Inc.  
 1047 North Park Road  
 Reading, PA 19610-0307  
 Application Received: 4/9/2013  
 Description of Action Denver Site—Water softening system to treatment combine radium.

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

##### Permit No. 1013502, Public Water Supply

Applicant **Colonial Gardens Guest House**  
 Township or Borough Penn Township  
 County **Butler**  
 Responsible Official Linda Mueller  
 Type of Facility Public Water Supply  
 Consulting Engineer Don A. Gilmore, P.E.  
 Dakota Engineering  
 Associates, Inc.  
 35 Wilson Street, Suite 200  
 Pittsburgh, PA 15223  
 Application Received Date March 29, 2013  
 Description of Action Install 4 new 85 gallon tanks (340 gal total) to meet 4-log virus contact time.

#### MINOR AMENDMENT

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

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

##### Application No. 6613502MA

Applicant **Aqua Pennsylvania, Inc.**  
 [Township or Borough] Tunkhannock Township  
**Wyoming County**  
 Responsible Official Patrick R. Burke,  
 Regional Manager  
 Northeast & Central Operations  
 Aqua Pennsylvania, Inc.  
 1 Aqua Way  
 White Haven, PA 18661  
 Type of Facility Community Water System  
 Consulting Engineer Jonathan W. Morris, PE  
 CET Engineering  
 Services—GHD  
 326 East 2nd Street  
 Bloomsburg, PA 17815  
 570-387-5283  
 Application Received Date April 2, 2013  
 Description of Action Application for the extension of an existing chlorine contact line at the Rivercrest CWS to provide 4-log inactivation of viruses at a lower chlorine residual of 0.4 mg/l.

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

##### Application No. 0213509MA, Minor Amendment.

Applicant **Borough of Sewickley Water Authority**  
 601 Thorn Street  
 Sewickley, PA 15143  
 [Township or Borough] Sewickley Heights

Responsible Official Mark Brooks,  
Operations Supervisor  
Borough of Sewickley  
Water Authority  
601 Thorn Street  
Sewickley, PA 15143

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received Date April 4, 2013

Description of Action Replacement of approximately  
3,925 feet of existing 6-inch  
diameter waterline with new  
8-inch diameter waterline along  
Persimmon and Backbone Roads.

**Application No. 0213510MA, Minor Amendment.**

Applicant **Borough of Sewickley  
Water Authority**  
601 Thorn Street  
Sewickley, PA 15143

[Township or Borough] Sewickley Heights

Responsible Official Mark Brooks,  
Operations Supervisor  
Borough of Sewickley  
Water Authority  
601 Thorn Street  
Sewickley, PA 15143

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received Date April 4, 2013

Description of Action Replacement of approximately  
2,200 feet of existing 6-inch  
diameter waterline with new  
12-inch diameter waterline along  
Blackburn Road.

**Application No. 0213511MA, Minor Amendment.**

Applicant **Borough of Sewickley  
Water Authority**  
601 Thorn Street  
Sewickley, PA 15143

[Township or Borough] Sewickley Heights

Responsible Official Mark Brooks,  
Operations Supervisor  
Borough of Sewickley  
Water Authority  
601 Thorn Street  
Sewickley, PA 15143

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received Date April 4, 2013

Description of Action Replacement of approximately  
6,360 feet of existing 6-inch  
diameter waterline with new  
8-inch diameter waterline along  
Scaife Road.

**Application No. 0413504GWR, Minor Amendment.**

Applicant Little Creek Estates  
PO Box 364  
Sewickley, PA 15143

[Township or Borough] New Sewickley Township

Responsible Official J. William Dyer, Owner  
Little Creek Estates  
PO Box 364  
Sewickley, PA 15143

Type of Facility Water system

Consulting Engineer

Application Received Date April 11, 2013

Description of Action Demonstration of 4-log  
treatment of viruses for  
groundwater sources.

**Application No. 5020026T1, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer  
Authority**  
Penn Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] Millvale Borough

Responsible Official James L. Good,  
Interim Executive Director  
Pittsburgh Water &  
Sewer Authority  
Penn Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer

Application Received Date April 10, 2013

Description of Action Transfer of Millvale Borough's  
water supply permits.

**Application No. 0313503GWR, Minor Amendment.**

Applicant **Ford City Municipal  
Water Works**  
1000 4th Avenue  
Ford City, PA 16226

[Township or Borough] Borough of Ford City

Responsible Official Patrick J. Cujas,  
Head Operator  
Ford City Municipal  
Water Works  
1000 4th Avenue  
Ford City, PA 16226

Type of Facility Water system

Consulting Engineer Garvin Engineering and  
Municipal Management  
184 East Market Street  
Blairsville, PA 15717

Application Received Date April 15, 2013

Description of Action     Demonstration of 4-log treatment of viruses for groundwater sources.

### WATER ALLOCATIONS

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**Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth**

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

**WA2-1016**, Water Allocations. **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15235, **Allegheny County**. The applicant is requesting the right to purchase 4,000,000 gallons of water per day from the Municipal Authority of Westmoreland County.

**WA3-1011**, Water Allocations. **Ford City Borough**, 1000 4th Avenue, Ford City, PA 16226, **Armstrong County**. The applicant is requesting the right to withdraw 2,600,000 gallons of water per day, peak day, from their wells along the Allegheny River.

**WA56-1009**, Water Allocations. **Municipal Authority of the Township of Jenner**, PO Box 115, Boswell, PA 15531, **Somerset County**. The applicant is requesting the right to purchase 79,000 gallons of water per day from the Somerset County General Authority.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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**Application Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit Application No. 300582. Warner Company**, Yellow Springs Road, P. O. Box 457, Devault PA 19432-0457. This Permit Closure Plan Modification is for the approved Closure/Post Closure Plan for the Cedar Hollow Residual Waste Landfill located in Tredyffrin and East Whiteland Townships, **Chester County**. The application was received by the Southeast Regional Office on March 18, 2013.

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**Application(s) approved 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.**

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*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit Application No. 101308. Waste Management of Pennsylvania, Inc.** 2710 Golden Key Road, Kutztown, PA 19530. A permit renewal for the continued operation of this municipal solid waste transfer station known as Waste Management—Allentown located in Weisenberg Township, **Lehigh County**. The application was approved by the Northeast Regional Office on April 9, 2013.

**Permit Application No. 101371. McAuliffe Hauling and Recycling Services, Inc.**, 4816 Timberline Road, Walnutport, PA 18088. A permit renewal for the continued operation of this municipal solid waste transfer station located in Lehigh Township, **Northampton County**. The application was approved by the Regional Office on April 9, 2013.

Persons interested in reviewing the permit may contact William Tomayko, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## 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.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

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

**09-0014A: Northeast Foods, Inc.—Bake Rite Rolls Division** (2945 Samuel Drive, Bensalem, PA 19020) for replacement of the old Lanham 4 Roll Oven (Source ID 104) with the new Stewart Systems Roll Oven (Source ID 106) at their manufacturing plant in Bensalem Township, **Bucks County**. Bake Rite Rolls is a major source of Volatile Organic Compound (VOC) emissions, currently operating under TVOP No. 09-00014. The installation will not trigger New Source Review. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**22-03076A: Bitner Crematory, LLC** (2100 Linglestown Road, Harrisburg, PA 17110) for operation of a human crematory at the Jesse H. Geigle Funeral Home in Susquehanna Township, **Dauphin County**.

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

Plan Approval No. 22-03076A is for the operation of a Matthews, Model IE43-PP11, human crematory. The unit is controlled by an afterburner. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The actual air emissions from the crematory are estimated to be 1.0 tpy of PM<sub>10</sub>, 1.4 tpy of CO, 0.4 tpy of NO<sub>x</sub>, 0.4 tpy SO<sub>x</sub>, and 0.4 tpy of VOCs

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

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

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

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

**59-00017D: Hitachi Metals Automotive Components USA, LLC** (18986 Route 287, Tioga, PA 16946-8815) for a plan approval to modify the material throughput and emission limitations of numerous foundry sources at their facility in Lawrence Township, **Tioga County**. The respective facility will become a major facility for which a Title V operating permit has not been issued.

The Department's review of the information submitted by Hitachi Metals Automotive Components USA, LLC indicates that modification of the foundry will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue plan approval for modification of the foundry. Additionally, if the Department determines the foundry is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a Title V operating permit.

The emission of air contaminants from the facility will not exceed the following limits in any 12 consecutive month period: NO<sub>x</sub>—22.50 tons; CO—9.24 tons; VOCs—92.84 tons; SO<sub>x</sub>—0.25 ton; PM<sub>10</sub>—97.79 tons; HAPs—24.54 tons.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. No more than 110,000 tons of metal shall be melted in the two induction furnaces in any 12 consecutive month period.
2. The metallic hazardous air pollutant emissions from the induction melting furnaces shall not exceed 0.00213 pound per ton of metal charged.
3. Ferro-manganese or similar manganese-bearing materials may be added to the metal melted in the induction furnaces in order to meet customer specifications, on the condition that the total quantity of such material added does not exceed 48,000 pounds in any 12 consecutive month period. The permittee shall not intentionally add any alloying material containing nickel, chromium or other substances designated as hazardous air pollutants (other than the manganese authorized herein) to the metal melted in the induction furnaces. Any nickel, chromium, etc. which may be present in the pig iron or scrap fed to the induction furnaces shall not be considered a violation of this condition provided that the content of such substances in the pig iron and scrap is minimal (total combined content of all such substances in any furnace charge not to exceed 1% by weight).

4. The emission of volatile organic compounds from the 2070 pouring and cooling line shall not exceed 1.102 pounds per ton of metal poured, as measured at the stack.

5. The emission of volatile organic compounds from the 2070 vibrating shakeout conveyor system shall not exceed 0.170 pound per ton of metal poured, as measured at the stack.

6. The emission of volatile organic compounds from the 2070 cooling/separation drum shall not exceed 0.110 pound per ton of metal poured, as measured at the stack.

7. The total combined emission of volatile hazardous air pollutants from the 2070 casting line shall not exceed 0.444 pound per ton of metal poured, as measured at the stack.

8. The emission of volatile organic compounds from the 2013 pouring and cooling line shall not exceed 1.102 pounds per ton of metal poured, as measured at the stack.

9. The emission of volatile organic compounds from the 2013 vibrating shakeout conveyor system shall not exceed 0.170 pound per ton of metal poured, as measured at the stack.

10. The emission of volatile organic compounds from the 2013 cooling/separation drum shall not exceed 0.110 pound per ton of metal poured, as measured at the stack.

11. The total combined emission of volatile hazardous air pollutants from the 2013 casting line shall not exceed 0.444 pound per ton of metal poured, as measured at the stack.

12. The total combined emission of volatile organic compounds from the three core-making machines incorporated in the polyurethane cold box core making operation shall not exceed 8.02 tons in any 12 consecutive month period.

13. The total combined amount of Isocure WTC I and WTC II resins (and/or resins determined by the Department to have an equivalent, or lower, air contaminant emission potential) used in the three core-making machines incorporated in the polyurethane cold box core making operation shall not exceed 329,710 pounds in any 12 consecutive month period.

14. Only non-hazardous air pollutant catalysts shall be used the three core-making machines incorporated in the polyurethane cold box core making operation.

15. The permittee shall not pneumatically convey material into the storage silos associated with polyurethane cold box core making operation more than 1,200 hours in any 12 consecutive month period.

16. The ecoat operation shall use no more than 135,300 gallons of coating and no more than 300 gallons of flow control additive in any 12 consecutive month period.

17. The facility-wide volatile organic compound emission limitation specified in State Only Operating Permit 59-00017 is no longer applicable.

18. All conditions contained in State Only Operating Permit 59-00017 remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in State Only Operating Permit 59-00017, the permittee shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in

State Only Operating Permit 59-00017. This plan approval supersedes Plan Approval 59-00017C.

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

**08-00046A: Lowery Life Appreciation Center, LLC** (225 South Main Street, Athens, PA 18810) for a plan approval to construct a human crematorium at their facility in Athens Borough, **Bradford County**. The respective facility is a natural minor facility for which a state only operating permit has not been issued.

The Department's review of the information submitted by Lowery Life Appreciation Center, LLC indicates that construction of the crematorium will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue plan approval for construction of the crematorium. Additionally, if the Department determines the crematorium is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a state only operating permit.

The emission of air contaminants from the crematorium will not exceed the following limits in any 12 consecutive month period: NO<sub>x</sub>—0.82 ton; CO—0.69 ton; VOCs—0.04 ton; SO<sub>x</sub>—0.01 ton; PM<sub>10</sub>—1.58 ton.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. The particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen.

2. The visible emissions from the crematory shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any one hour or equal or exceed 30% opacity at any time.

3. The crematory shall only be fired on natural gas or LP gas.

4. Only human remains and associated containers, which are constructed of cardboard, particleboard or wood, shall be incinerated in the crematory. Under no circumstances shall the crematory be used for the incineration of hospital waste, infectious waste or any other type of waste other than human remains and associated containers.

5. The crematory shall be equipped with instrumentation to continuously monitor and record the primary and secondary combustion chamber exit temperatures any time the crematory is in operation.

6. The crematory shall be equipped with instrumentation to continuously monitor the opacity of the effluent gas any time the crematory is in operation.

7. A secondary combustion chamber temperature of at least 1800°F shall be maintained for a residence time of at least one (1) second at any time that cremation is occurring in the crematory.

8. The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing unless the secondary combustion chamber is at a temperature of at least 1800°F.

9. The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing and sounds an alarm any time the opacity of the visible emissions exceeds 10%.

10. The charge door of the crematory shall be kept shut during the cremation cycle except for short periods of time in order to inspect and/or reposition the remains.

11. The permittee shall maintain accurate and comprehensive records of the primary and secondary combustion chamber temperature chart recordings.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to David M. Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

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

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

**AMS 13028: Philadelphia Phillies** (1 Citizens Bank Way, Philadelphia, PA 19148) for installation of an oxidation catalyst to each of (2) existing Peak Shaving Generators in the City of Philadelphia, **Philadelphia County**. There will be no potential annual emission increase in Carbon Monoxide. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 13094: Lannett Co., Inc.** (13200 Townsend Ave, Philadelphia, PA 19154) for installation of eight (8) air handling units firing natural gas in the City of Philadelphia, **Philadelphia County**. There will be a potential annual emission increase of less than 4.0 tons of Nitrogen Oxide. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**66-00009: Raymond J. Malak—d/b/a/ Noxen Sand and Materials** (2162 Chase Road, Shavertown, PA 18708) for operation of a sand and gravel quarry in Noxen Borough, **Wyoming County**. The operation of the facility consists of stone crushers and conveyors. The sources control the particulate emissions through the operation of water sprays. This is a new state-only

operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**38-03036: Cargill, Inc.** (320 North 16th Street, Lebanon, PA 17046) for their animal feed mill operation in City of Lebanon, **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 animal feed mill operation is subject to MACT Subpart DDDDDDD, "National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing." Potential PM<sub>10</sub>, NO<sub>x</sub>, and CO emissions are estimated to be around 30, 3.55 and 2.98 tons per year (tpy), respectively.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit identification of the proposed permit by the permit number listed above.

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

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

**22-03090: Hershey Co.** (19 East Chocolate Avenue, Hershey, PA 17033) for operation of their office in Derry Township, **Dauphin 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 renewal for the abovementioned facility.

The estimated potential emissions are: 1.3 tons of PM-10 per year; 15 tons of CO per year; 18 tons of NO<sub>x</sub> per year; 0.2 ton of SO<sub>x</sub> per year; 23 tons of VOCs per year; and 0.4 ton of HAPs per year. The Boilers at the facility are subject to 40 CFR Part 60, Subparts Dc. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**36-03139: Ross Technology Corp.** (104 North Maple Ave, Leola, PA 17540) for operation of a sandblasting and metal fabrication facility in Upper Leacock Township, **Lancaster County**.

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

Actual PM<sub>10</sub> and HAP emissions at the facility for 2012 are each estimated to be less than one ton. 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 40 CFR Part 63, Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Mr. William Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air

Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

**67-03110: Protech Powder Coating, Inc.** (939 Monocacy Road, York, PA 17404) for operation of their powder coating facility in York City, **York County**.

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

The actual and potential PM emissions are 5 and 10 tons per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**31-03032: Glenn O. Hawbaker, Inc.** (711 East College Ave., Bellefonte, PA 16823) for a limestone crushing plant and associated equipment at their Canoe Valley Aggregate Facility located in Morris Township, **Huntingdon 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 renewal for the abovementioned facility.

The subject facility has actual emissions of 2.1 tons per year of particulate matter and 0.8 ton per year of PM-10. 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 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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 renewal, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary A. Helsel, PE, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

**31-03008: Bradford Forest, Inc.** (22510 Croghan Pike, Shade Gap, PA 17255) for operation of a hardwood lumber manufacturing facility in Dublin Township, **Huntingdon 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 renewal for the abovementioned facility.

Actual emissions at the facility for 2012 are estimated to be 2.1 tons of nitrogen oxides; 5.53 tons of carbon monoxide; 3.4 tons of particulate matter; 1.0 ton of hazardous air pollutants and less than one ton each of sulfur oxides and volatile organic compounds. 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 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Mr. William Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

**22-03044: Mack Trucks, Inc.** (2800 Commerce Drive, Middletown, PA 17057) for operation of its engine remanufacturing facility in Lower Swatara Township, **Dauphin 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 renewal for the abovementioned facility.

The estimated potential emissions are: 0.2 ton of PM per year; 2 tons of CO per year; 2.25 tons of NO<sub>x</sub> per year; 0.01 ton of SO<sub>x</sub> per year; 8 tons of VOCs per year; and 0.04 ton of HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

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

**41-00074: Webb Communications** (1 Maynard Street, Williamsport, PA 17701) to renew an Air Quality Operating Permit for their facility in Williamsport, **Lycoming 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 a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 1.66 TPY of CO; 2.18 TPY of NO<sub>x</sub>; 1.12 TPY of SO<sub>x</sub>; 6.13 TPY of PM/PM<sub>10</sub>; 18.25 TPY of VOC; 3.47 TPY of VHAPs and 2,601 TPY of CO<sub>2e</sub>. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boiler Area Sources, 40 CFR Part 63 Subpart JJJJJ Sections 63.11193 through 63.11237. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period from the date of publication of this notice in the *Pennsylvania Bulletin* will exist for the submission of comments or protests. Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, 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*

**04-00519: Columbia Gas Transmission Corp.** (1700 MacCorkle Ave SE, Charleston, WV 25314-1518) to authorize the continued operation of the natural gas transmission facility known as the Blackhawk Station, in South Beaver Township, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) is providing notice that they intend to issue a State Only Operating Permit (SOOP) Renewal to Columbia Gas to authorize the continued operation of the natural gas transmission facility known as the Blackhawk Station, located in South Beaver Township, Beaver County.

This facility consists of an Ingersoll-Rand, Model No. 8TVR natural gas fired, four-stroke, lean-burn internal combustion engine rated at 800 hp, a LEROI, Model No. H-540 diesel fired emergency generator rated at 170 hp, limited to operate 500 hours of operation per year, a

glycol dehydrator equipped with a 0.82 MMBtu/hr reboiler and a 1.5 MMBtu/hr flare, a line heater rated at 4.0 MMBtu/hr, a heating system boiler rated at 0.78 MMBtu/hr and seven (7) storage tanks, each with a design capacity of less than or equal to 4,400 gallons.

This facility's potential to emit, on a rolling 12-month basis, is 13.16 tons of carbon monoxide, 98.55 tons of nitrogen oxides, 0.78 ton of particulate matter, 0.04 ton of sulfur oxides, 2.40 tons of volatile organic compounds, 0.73 ton of hazardous air pollutants, and less than 2,000 tons of carbon dioxide equivalents (greenhouse gases). The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the proposed SOOP have been derived from the applicable requirements of 40 CFR Part 63-Subpart ZZZZ and 25 Pa. Code Chapters 121—145. No emission or equipment changes are being proposed by this action.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify SOOP-04-00519), and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the location identified above.

**65-00602: Derry Construction Company / Torrance Asphalt Plant** (323 Quarry Rd Torrance, Pa 15779) for operation of a hot mix batch asphalt facility in Derry Township, **Westmoreland County**.

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

The subject facility consists of one hot mix batch asphalt plants rated at 150 tons per hour. The batch plant is limited to 495,000 tons production in any consecutive 12-month period. The facility has the potential to emit: 99 tpy CO; 25.89 tpy NO<sub>x</sub>; 22.92 tpy SO<sub>x</sub>; 2.03 tpy VOC; 2.43 tpy PM<sub>10</sub> and 1.86 tpy HAPs. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Sheila Shaffer Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (65-00602) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mr. Mark Wayner, Regional Air Quality Program Manager, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Ms. Sheila Shaffer, Air Quality Engineering Specialist, at the same address or phone at (412) 442-5227.

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

**04-00719: Lehigh Cement Company / Aliquippa Terminal** (100 Woodlawn Road, Aliquippa, PA 15001) for operation of a cement transfer terminal and lime storage facility located in the City of Aliquippa, **Beaver County**.

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

The subject facility consists of rail hopper unloading, bucket elevator, cement storage silos, and trucking loading. Particulate emissions are controlled by enclosed transfer points and a baghouse. The facility has the potential to emit 5.7 tpy PM and 3.58 tpy PM<sub>10</sub>. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. The facility is also required to water all in-plant roads as needed, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto with earth or other material has been transported by trucking or earth moving equipment, or other means. Particulate matter emissions from the baghouse are not to exceed 0.02 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Sheila Shaffer, Department of

Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00719) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mr. Mark Wayner, Regional Air Quality Program Manager, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Ms. Sheila Shaffer, Air Quality Engineering Specialist, at the same address or phone at (412) 442-5227.

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

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

*Contact: Matthew M. Williams—Telephone: 814-332-6131*

**42-00198: Elkhorn Gas Processing, LLC—Kane Plant** (6307 Route 6, Kane, PA 16735) for renewal of the Natural Minor Permit to operate a natural gas processing facility at Wetmore Township, **McKean County**. The facility's emitting sources included, 1) Oil—Medium Heater (Hot Oil Heater), 2) 800 HP Compressor Engine (Inlet 1), 3) 800 HP Compressor Engine (Inlet 2), 4) 365 HP Compressor Engine (Refrigerant), 5) Equipment Leaks (including the exempted DeButanizer), 6) Glycol Regenerator (dehydrator), 7) Loading and storage tanks, and, 8) 600 HP new compressor. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is natural minor. The existing natural gas compressor engine, SI RICE are subject to 40 CFR Part 63 Subpart ZZZZ and the new compressor engine SI ICE is subject to 40 CFR Part 60 Subpart JJJJ. The VOC emission from the facility is greater than 10 tons per year. Thus, facility will submit emission statement annually. The actual emission based on 2012 are as follows: PM-10: 0.06 TPY (Tons per year), VOC: 23.22 TPY, NO<sub>x</sub>: 4.20 TPY, SO<sub>x</sub>: 0.05 TPY and, CO: 28.72 TPY.

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

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

**S13-001: Plains Products Terminals LLC** (1650 South 51st Street, Philadelphia, PA 19143) for the operation of a Petroleum Bulk Station and Terminal facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include eleven distillate tanks, Marine Loading of Distillate and Residual Fuel Oil, and Piping Component Fugitive Leaks.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information

are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for

an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

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

**33971301. AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650). To revise the permit for the Dora No. 8 Mine in North Mahoning and West Mahoning Townships, **Indiana County** and Perry Township, **Jefferson County** to add underground and subsidence control plan acres. Underground Acres Proposed 2673.2, Subsidence Control Plan Acres Proposed 2673.2. No additional discharges. The application was considered administratively complete on April 9, 2013. Application received September 7, 2012.

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

**31070101 and NPDES No. PA0262315. Ferlitch Construction Company, Inc.**, 62 Woodland Terrace, Duncansville, PA 16635, permit renewal for the continued operation and restoration of a bituminous surface mine in Wood Township, **Huntingdon County**, affecting 57.2 acres. Receiving stream(s): unnamed tributaries to Great Trough Creek, Roaring Run Basin classified for the following use(s): trout stocked fishery, high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 2, 2013.

**11080101 and NPDES No. PA0262587. AMFIRE Mining Company, LLC**, One Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in East Taylor and Croyle Townships, **Cambria County**, affecting 726.3 acres. Receiving stream(s): unnamed tributaries to and Little Conemaugh River to the Conemaugh River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 5, 2013.

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

**03803044 and NPDES Permit No. PA0126375. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Application received for transfer of permit currently issued to State Industries, Inc., for continued operation and reclamation of a bituminous surface mining site located in East Franklin Township, **Armstrong County**, affecting 97.9 acres. Receiving streams: Unnamed tributary to Limestone Run, classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is West Penn Water Company. Application received: March 25, 2013.

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

**49850701C9. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), boundary correction to add 7.8 acres to an existing anthracite coal refuse disposal operation in Coal Township, **Northumberland County** affecting 35.4 acres, receiving stream: Carbon Run, classified for the following use: cold water fishes. Application received: March 12, 2013.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**35910301C6 and NPDES Permit No. PA0595209. West Mountain Sand, Stone & Aggregates, LTD**, (PO Box 389, Skippack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Newton and Ransom Townships, **Lackawanna County** affecting 249.0 acres, receiving stream: Keyser Creek, classified for the following use: cold water fishes. Application received: March 29, 2013.

**58920301C and NPDES Permit No. PA0595845. Reading Materials, Inc.**, (PO Box 1467, Skippack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in New Milford Township, **Susquehanna County** affecting 131.8 acres, receiving stream: Beaver Creek, classified for the following use: HQ-cold water fishes. Application received: March 29, 2013.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0213683 (Mining Permit No. 32850701), AMFIRE Mining Company, LLC**, (1 Energy Place, Latrobe, PA 15650). A renewal to the NPDES and mining activity permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County**. This notice is a correction to the mining activity NPDES Draft permit previously published in the *Pennsylvania Bulletin* on March 9, 2013. Surface Acres Affected 143.8. Receiving stream: Dixon Run, Unnamed Tributary to Dixon Run, and Unnamed Tributary to Buck Run, all classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on June 20, 2012. Application received January 20, 2012.

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

*Outfall 006* discharges to: Unnamed Tributary to Dixon Run

The proposed effluent limits for *Outfall 006* (Lat: 40° 41' 01" Long: 79° 00' 21") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	0.004	-
Iron	(mg/l)	1.6	2.49	4.0
Manganese	(mg/l)	0.95	1.48	2.375
Aluminum	(mg/l)	0.75	1.16	1.875
Total Suspended Solids	(mg/l)	35	70	90
Sulfates	(mg/l)	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	REPORT

*Outfall 007* discharges to: Unnamed Tributary to Buck Run

The proposed effluent limits for *Outfall 007* (Lat: 40° 41' 04" Long: 78° 59' 59") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.004	-
Iron (mg/l)		3.0	4.67	7.5
Manganese (mg/l)		1.8	2.80	4.5
Aluminum (mg/l)		1.7	2.64	4.25
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 008* discharges to: Unnamed Tributary to Buck Run

The proposed effluent limits for *Outfall 008* (Lat: 40° 41' 04" Long: 79° 59' 59") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.004	-
Iron (mg/l)		3.0	4.67	7.5
Manganese (mg/l)		1.9	2.96	4.75
Aluminum (mg/l)		1.8	2.80	4.5
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 009* discharges to: Unnamed Tributary to Dixon Run

The proposed effluent limits for *Outfall 009* (Lat: 40° 41' 08" Long: 79° 00' 14") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0099	-
Iron (mg/l)		1.50	2.34	3.75
Manganese (mg/l)		0.95	1.48	2.375
Aluminum (mg/l)		0.75	1.16	1.875
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 010* discharges to: Dixon Run

The proposed effluent limits for *Outfall 010* (Lat: 40° 41' 22" Long: 79° 00' 24") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.004	-
Iron (mg/l)		2.1	3.27	5.25
Manganese (mg/l)		1.6	2.49	4
Aluminum (mg/l)		1.0	1.59	2.5
Osmotic Pressure (mos/kg)		50.0	100.0	125
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 011* discharges to: Unnamed Tributary to Buck Run

The proposed effluent limits for *Outfall 011* (Lat: 40° 41' 16" Long: 79° 00' 00") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.004	-
Iron (mg/l)		1.4	2.18	3.5
Manganese (mg/l)		1.8	2.80	4.5
Aluminum (mg/l)		0.70	1.09	1.75
Osmotic Pressure (mos/kg)		50.2	100.4	125.5
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 012 discharges to: Dixon Run

The proposed effluent limits for Outfall 012 (Lat: 40° 41' 22" Long: 79° 00' 29") are:

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow (mgd)		-	0.0124	-
Iron (mg/l)		3.0	4.67	7.5
Manganese (mg/l)		2.0	3.12	5.0
Aluminum (mg/l)		1.55	2.42	3.875
Osmotic Pressure (mos/kg)		56.0	112.0	140
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

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

**NPDES No. PA021331 (Mining permit no. 56920114), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for surface mining activities in Southampton Township, **Somerset County**, affecting 278.5 acres. Receiving stream(s): unnamed tributaries to North Branch of Jennings Run, classified for the following use(s): cold water fishery. These receiving streams are not the subject of a TMDL. Application received: February 26, 2013.

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

The treated wastewater outfall(s) listed below discharge to unnamed tributaries to North Branch of Jennings Run.

Outfall Nos.	New Outfall (Y/N)
001	N
002	N
003	N
004	N
005	N
006	N

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

*Outfalls: 001*

Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	3.0	6.0	7.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

*Outfalls: 002 & 003*

Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	5.0	6.3
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

*Outfalls: 004, 005 and 006*

Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.3	2.6	3.3
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

The stormwater outfall(s) listed below discharge to unnamed tributaries to North Branch of Jennings Run.

Outfall Nos.	New Outfall (Y/N)
007	N
008	N
009	N
010	N
011	N

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
012	N
013	N
014	N

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

<i>Outfalls: 007, 008, 009, 010, 011, 012, 013, 014</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)			7.0
Total Settleable Solids (mg/l)			0.5 ml/l
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0259381 (Permit No. 10120106). Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) New NPDES permit for a bituminous surface mine in Fairview & Parker Townships, Petrolia Borough, **Butler County**, affecting 465.7 acres. Receiving streams: Unnamed tributaries to South Branch Bear Creek, classified for the following uses: WWF. TMDL: None. Application received: November 29, 2012.

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

The outfall(s) listed below discharge to unnamed tributaries to South Branch Bear Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP02	Y
TP03	Y
TP04	Y
TP05	Y
TP08	Y
TP09	Y
TP10	Y
TP11	Y
TP12	Y
TP13	Y
TP14	Y

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

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

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPA	Y
SPB	Y
SPC	Y
SPD	Y
SPE	Y
SPF	Y
SPG	Y
SPH	Y
SPJ	Y
SPK	Y
SPM	Y

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

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



**NPDES No. PA0259306 (Permit No. 10120102). Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Revised NPDES permit for a bituminous surface mine in Perry & Parker Townships, **Butler & Armstrong Counties**, affecting 77.9 acres. Receiving streams: Unnamed tributaries to South Branch Bear Creek, classified for the following uses: WWF. TMDL: None. Application received: March 21, 2013.

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

The outfall(s) listed below discharge to unnamed tributaries E and F to South Branch Bear Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		25	70	90

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

The outfall(s) listed below discharge to unnamed tributaries E, F and G to South Branch Bear Creek:

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

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

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

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0599352 (Mining permit no. 4074SM12), New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for surface mining in Jefferson Township, **Somerset County**, affecting 317.04 acres. Receiving stream(s): unnamed tributaries to/and Kooser Run, classified for the following use(s): high quality—cold water fishery. This receiving stream is included in the Casselman River TMDL. Application received: February 16, 2012.

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

The outfall(s) listed below discharge to Unnamed Tributaries to Kooser Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001, 002, 003 & 004	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	20.0	40.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfall(s) listed below discharge to Unnamed Tributary to Kooser Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids	20.0	40.0	50.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

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

**NPDES No. PA 0257168 (Mining Permit No. 08120301, Bradford County Quarry), Glenn O. Hawbaker, Inc.,** 1952 Waddle Road, State College, PA 16803. New NPDES permit for Noncoal Surface Mine in Burlington Township, **Bradford County**, affecting 41.6 acres. Receiving stream(s): Sugar Creek, classified for the following use(s): WWF. Application received: April 16, 2012.

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

The outfall(s) listed below discharge to Sugar Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP01	Yes
TP01	Yes

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

**NPDES No. PA0225045 on Surface Mining Permit No. 64112501. Robert A. Coleman,** (PO Box 3, Susquehanna, PA 18847), new NPDES Permit for a bluestone quarry operation in Scott Township, **Wayne County**, affecting 10.0 acres. Receiving stream: Sherman Creek, classified for the following use: HQ—cold water fishes. Application received: August 4, 2011.

Non discharge BMPs will be in affect to contain runoff from all affected areas on this site.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-1091. Firefox 1, LP,** 1735 Market Street, Suite 4010, Philadelphia, PA 19103, Hatfield and Montgomery Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with a 148 unit townhouse development known as Firefox I.

1. To construct and maintain 3 outfall structures along an unnamed tributary to Colmar Creek, impacting a de minimus area of wetland.
2. To construct and maintain a 4.3-foot high by 24-foot wide open bottom box culvert across a tributary to the West Branch of Neshaminy Creek, impacting a de minimus area of wetland.
3. To construct and maintain an 8-foot wide pedestrian bridge spanning 24 feet across an unnamed tributary to the West Branch of Neshaminy Creek.

The site is located near the intersection of Bethlehem Pike (S.R. 309) and Line Street (Teleford and Doylestown USGS Quadrangle Maps; N: 3.5 inches; W: 0.5 inches; and N: 3.5 inches W: 17.00 inches respectively.

**E15-840. Scott R. Salvatore, SPE-LISACUL Construction Company, LP.**, 2109 Bellemead Avenue, Havertown, PA 19083, London Grove Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities across an unnamed tributary to the East Branch White Clay Creek (Perennial, CFW-MF):

1. To replace and maintain the road culvert at intersection of East Avondale Road and Clay Creek Road.
2. To install and maintain a redundant water line for Inniscrone Phase III to VI residential Development.
3. To construct and maintain Inniscrone Drive from residential development to the replaced culvert intersection.

The site is located at the intersection of East Avondale Road and Clay Creek Road (West Grove, PA USGS Quadrangle N: 11.66 inches; W: 6.27 inches).

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E48-421. Buckeye Partners, LP**, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031, in Lehigh and North Whitehall Townships, **Lehigh and Northampton Counties**, U.S. Army Corps of Engineers, Philadelphia District.

To stabilize and maintain a 24-foot by 54-foot section of the Lehigh River (WWF, MF) with cable concrete revetment mats for the purpose of protecting an existing exposed 6-inch diameter petroleum pipeline. The project is located approximately 0.10 mile southwest of State Route 0145 approximately 0.75 mile northwest of its intersection with Mulberry Drive (Cementon, PA Quadrangle, Latitude: 40°43'50.9"; Longitude: -75°34'11.1").

**F40-001. City of Nanticoke**, 15 East Ridge Street, Nanticoke, PA 18634, in City of Nanticoke, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in the City of Nanticoke, Luzerne County.

1. Kotsko, 218 Arch Street (Nanticoke, PA Quadrangle Latitude: 41.20689°; Longitude: -76.00157°)
2. Rasmus, 218 Rear Arch Street (Nanticoke, PA Quadrangle Latitude: 41.20692°; Longitude: -76.00184°)
3. Rasmus, 218 Rear Arch Street (Nanticoke, PA Quadrangle Latitude: 41.20706°; Longitude: -76.00160°)

**F54-001. Pine Grove Township**, 175 Oak Grove Road, Pine Grove, PA 17963, in Pine Grove Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of Swatara Creek through the HMGP Acquisition Program. Site will be restored to open space. Site is located in Pine Grove Township, Schuylkill County.

1. 8 Geary Wolf Road Property (Pine Grove, PA Quadrangle Latitude: 40.538533; Longitude: -76.390367)

**F54-002. Pine Grove Borough**, One Snyder Avenue, Pine Grove, PA 17963, in Pine Grove Borough, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of Swatara Creek and Wideawake Creek through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Pine Grove Borough, Schuylkill County.

1. Wendy Diaz, 50 Laurel Street (Pine Grove, PA Quadrangle Latitude: 40°33'06.06"; Longitude: -76°22'52.18")
2. Edwin Minnich, 45 Laurel Street (Pine Grove, PA Quadrangle Latitude: 40°33'06.06"; Longitude: -76°22'52.18")
3. Robert & Kathy Kreis, 6 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'14.93"; Longitude: -76°23'16.46")
4. Sam & Anthony Fisher, 8 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'14.93"; Longitude: -76°23'16.46")
5. Joe & Lori Fisher, 10 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'15.31"; Longitude: -76°23'16.83")
6. Richard Frantz, 7 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'14.51"; Longitude: -76°23'17.41")
7. Robert E. & Pamela J. Koppenhaver, 13 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'15.00"; Longitude: -76°23'17.00")
8. Paul R. & Ada L. Frantz, 15 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'15.31"; Longitude: -76°23'17.88")
9. Paul R. & Ada L. Frantz, 17 North Tulpehocken Street (Pine Grove, PA Quadrangle Latitude: 40°33'15.31"; Longitude: -76°23'17.88")
10. Derek D. Tobias, 69 East Pottsville Street (Pine Grove, PA Quadrangle Latitude: 40°33'13.47"; Longitude: -76°22'56.96")
11. Christine D. Heller, 76 East Pottsville Street (Pine Grove, PA Quadrangle Latitude: 40°33'13.16"; Longitude: -76°22'55.76")
12. Jeff Spittler, 78 East Pottsville Street (Pine Grove, PA Quadrangle Latitude: 40°33'13.16"; Longitude: -76°22'55.76")

**F58-001. Lanesboro Borough**, PO Box 214, Susquehanna, PA 18847, in Lanesboro Borough, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River and Canawacta Creek through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Lanesboro Borough, Susquehanna County.

1. Burdick, 35 Soops Grove, Susquehanna, PA 18847 (Susquehanna, PA Quadrangle Latitude: 41.962823°; Longitude: -75.585575°)
2. Fisk, 37 Soops Grove, Susquehanna, PA 18847 (Susquehanna, PA Quadrangle Latitude: 41.962834°; Longitude: -75.585575°)
3. Sannikov, 90 Main Street, Susquehanna, PA 18847 (Susquehanna, PA Quadrangle Latitude: 41.955867°; Longitude: -75.585691°)

**F58-002. Harmony Township**, PO Box 152, Susquehanna, PA 18847, in Harmony Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Harmony Township, Susquehanna County.

1. James E. & Linda L. Gladstone, 132 River View Drive, Susquehanna, PA 18847 (Susquehanna, PA Quadrangle Latitude: 41.992503°; Longitude: -75.601723°)

2. James E. & Linda L. Gladstone, 128 River View Drive, Susquehanna, PA 18847 (Susquehanna, PA Quadrangle Latitude: 41.992589°; Longitude: -75.601835°)

**E39-520. Harold Dieterly & Ann Dieterly**, P. O. Box 519, Trumbauersville, PA 18970, in Upper Saucon Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associate with the Brinley Court Residential Development Project:

1. An outfall structure in the floodway of UNT to Laurel Run (HQ-CWF, MF) consisting of a 36-inch diameter RCP, headwall and riprap apron;

2. A utility crossing of UNT to Laurel Run (HQ-CWF, MF);

3. A roadway crossings of an UNT to Laurel Run (HQ-CWF, MF) consisting of a 42 feet of 18-inch diameter RCP, 43 feet of 24-inch diameter RCP, headwall and riprap apron.

4. A roadway crossings of an UNT to Laurel Run (HQ-CWF, MF) consisting of an 86-foot long 18-inch diameter RCP, headwalls and riprap apron.

The project is located approximately 0.2 mile east of the intersection of South Main Street (SR2045) and Old Bethlehem Pike (Allentown East, PA Quadrangle, Latitude: 40°30'6"; Longitude: -75°23'27").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E07-445. Logan Township Board of Supervisors**, 100 Chief Logan Circle, Altoona, PA 16602. Logan Township Sanitary Sewer Improvements in Logan Township, **Blair County**, Baltimore ACOE District (Altoona, PA Quadrangle).

The applicant proposed to install and maintain an 8-inch PVC sanitary sewer line crossing

(1) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 59", -78° 24' 09"),

(2) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 34", -78° 23' 30"),

(3) 20-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 39", -78° 23' 45"),

(4) 5-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 38", -78° 23' 40"),

(5) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 40", -78° 23' 39"),

(6) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 38", -78° 23' 29"),

(7) 8-linear feet of Burgoon Run (TSF, MF) (40° 29' 19", -78° 26' 29"),

(8) 5-linear feet of Burgoon Run (TSF, MF) (40° 29' 20", -78° 26' 29"),

(9) 40-linear feet of Burgoon Run (TSF, MF) (40° 29' 16", -78° 26' 24"),

(10) 8 Linear Feet of an Unnamed Tributary to Burgoon Run (40° 29' 23", -78° 26' 34"),

(11) 13-linear feet of Burgoon Run (TSF, MF) (40° 29' 20", -78° 26' 31"),

(12) 10 Linear Feet of an Unnamed Tributary to Burgoon Run (40° 29' 28", -78° 26' 52"),

(13) 12 Linear Feet of an Unnamed Tributary to Burgoon Run (40° 29' 23", -78° 27' 06"),

(14) 30 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 28", -78° 22' 39"),

(15) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 40", -78° 22' 54"),

(16) 11 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 06"),

(17) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 05"),

(18) 10 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 37", -78° 23' 11"),

(19) 17 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 24"),

(20) 17 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 20"),

(21) 32 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 31", -78° 23' 21"),

(22) 22 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 31", -78° 23' 28"),

(23) 5 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 40", -78° 23' 57"),

(24) 25 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 37", -78° 23' 51"),

(25) 13 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 35", -78° 23' 48"),

(26) 20 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 46", -78° 24' 10"),

(27) 14 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 45", -78° 24' 07"),

(28) 27 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 43", -78° 24' 03"),

(29) 15 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 41", -78° 24' 03"),

(30) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 49", -78° 24' 19"),

(31) 20 Linear Feet of Dry Gap Run (WWF, MF) (40° 32' 00", -78° 28' 48"),

(32) 8 Linear Feet of an Unnamed Tributary to Burgoon Run (WWF, MF) (40° 29' 29", -78° 26' 50"),

(33) 0.06 acre of PEM/PSS wetland which are classified as exceptional value (40° 31' 26", -78° 21' 50"),

(34) 0.04 acre of PEM Wetlands (40° 29' 16", -78° 26' 12"),

(35) 0.03 acre of PEM wetlands which are classified as Exceptional Value (40° 29' 19", -78° 26' 13"),

(36) 0.04 acre of PSS wetlands which are classified as exceptional Value (40° 29' 25", -78° 26' 44"),

(37) 0.07 acre of PSS wetlands (40° 29' 21", -78° 26' 36"),

(38) 0.02 acre for of PEM wetlands which are classified as Exceptional Value (40° 29' 20", -78° 26' 31"),

(39) 0.02 acre of PEM wetlands and 0.02 acre of PFO wetlands (40° 29' 29", -78° 26' 56"),

(40) 0.02 acre of PEM wetlands which are classified as exceptional value (40° 29' 25", -78° 26' 45"),

(41) 0.17 acre of PEM wetlands which are classified as exceptional value (40° 33' 31", -78° 22' 45"),

(42) 0.05 acre of PFO wetlands which are classified as exceptional value (40° 33' 30", -78° 23' 11"),

(43) 0.02 acre of PFO wetlands which are classified as exceptional value (40° 33' 30", -78° 23' 10"),

(44) 0.01 acre of PEM wetlands which are classified as exceptional value (40° 33' 35", -78° 23' 45"),

(45) 0.16 acre of PFO wetlands which are classified as exceptional value (40° 33' 40", -78° 24' 02"),

(46) 0.16 acre of PSS wetlands which are classified as exceptional value (40° 33' 47", -78° 24' 12"),

(47) 0.04 acre of PEM wetlands (40° 28' 57", -78° 23' 20"),

(48) 0.01 acre of PEM wetlands (40° 32' 29", -78° 23' 46"),

(49) 0.01 acre of PEM wetlands (40° 32' 30", -78° 23' 48"),

(50) 0.01 acre of PEM wetlands (40° 32' 00", -78° 26' 45"), and to construct and maintain

(51) 75 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 59"; -78° 24' 10"),

(52) 20 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 35"; -78° 23' 32"),

(53) 34 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 34"; -78° 23' 32"),

(54) 30 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 33"; -78° 23' 29"),

(55) 25 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 33"; -78° 23' 28"),

(56) 110 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 37"; -78° 23' 42"),

(57) 75 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 28"; -78° 22' 57"),

(58) 120 linear feet of stream bank protection along an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 30"; -78° 23' 04"),

(59) 24 linear feet of stream bank protection along an Homer Gap Run (WWF, MF) (40° 33' 30"; -78° 23' 06"),

(60) 50 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 30"; -78° 23' 20"),

(61) 50 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 30"; -78° 23' 21"),

(62) 110 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 45"; -78° 24' 09"),

(63) 25 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 46"; -78° 24' 11"),

(64) 30 linear feet of stream bank protection along an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 39"; -78° 22' 54"),

(65) 25 linear feet of stream bank protection along an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 40"; -78° 22' 54"), and 50 linear feet of stream bank protection along Burgoon Run (TSF, MF) (40° 29' 20"; -78° 26' 32").

The project proposes to temporarily impact 0.67 acre of wetlands of and permanently impact 0.23 acre.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E17-481. Pennsylvania Department of Transportation, Engineering District 2-0**, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 0970, Section A01 Bridge Replacement over the West Branch of the Susquehanna River in Goshen and Bradford Townships, **Clearfield County**, ACOE Baltimore District (Lecontes, PA Quadrangle; Latitude: 41° 04' 09"; Longitude -78° 21' 41").

The applicant proposes to remove the existing bridge structure, construct, operate and maintain a new reinforced concrete box culvert. The existing structure is a two span steel through truss bridge with a total span of 279 ft., skew of 60°, average underclearance of 17.5 ft. and a roadway width of 28 ft. The proposed structure is a three span concrete T-beam bridge with a total span of 271 ft., skew of 58°, average underclearance of 12.7 ft. and a roadway width of 36 ft. The proposed bridge will be located upstream of the existing structure and the existing structure will be used to convey traffic during construction. In addition, approximately 650 ft. of approach roadway will be constructed. West Branch of the Susquehanna River is classified as a Warm Water Fishery. No wetlands will be impacted by this project.

**E41-645. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. S.R. 0015 Section 140, Montgomery Pike Safety Improvement Project, Clinton Township, **Lycoming County**, ACOE Baltimore District (Montoursville South, PA Quadrangle N: 41° 11' 47"; W: -76° 55' 04").

PA DOT Engineering District 3-0 proposes to rehabilitate a section of SR 0015 to improve roadway safety. The project includes concrete barrier separation of the north and southbound lanes, roadway widening, paving, drainage improvements and construction of three jug handle turnaround ramps. The project will result in 37 linear feet of permanent stream impact, 45 linear feet of temporary stream impact, 0.35 acre of permanent wetland impact and 0.01 acre of temporary wetland impact. The wetland impacts will be mitigated through the Vargo Wetland Bank. The stream and wetland impacts are a result of placing fill and rip rap due to the drainage improvements and the roadway widening. The project impacts will be located throughout Black Hole Creek, Unnamed Tributaries to Black Hole Creek, Unnamed Tributaries to the Susquehanna River and the wetland located directly adjacent to the existing roadway. Black Hole Creek and the Unnamed Tributaries are classified as Trout Stream Fisheries by Title 25, Chapter 93 Water Quality Standards. The Unnamed Tributaries to the Susquehanna River are classified as Cold Water Fisheries by Title 25, Chapter 93 Water Quality Standards.

**E59-519. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. SR 0287, Section 090, Bridge Replacement Project over Marsh Creek, Delmar Township, **Tioga County**, ACOE Baltimore District (Keeneyville, PA Quadrangle N: 41° 47' 07"; W: 77° 18' 34").

PA DOT Engineering District 3-0 proposes to remove the existing single span steel truss bridge and replace it with a single span concrete bulb T-beam bridge. The existing structure has a normal span of 76.5 ft., skew of 43°, 30 ft. roadway width, 8.8 ft. underclearance and low chord elevation of 1,178.92 ft. The proposed structure will have a normal span of 96.5 ft., skew of 90°, 69 ft. roadway width, 8.8 ft. underclearance and low chord elevation of 1178.58 ft. The proposed structure will be located approximately 228 ft. downstream of the existing structure. The project will have approximately 0.12 acre of permanent and 0.03 acre of temporary wetland impact. Wetland impacts will be mitigated on-site. Marsh Creek is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards.

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

**E26-366. Dunbar Borough/Township Sanitary Authority**, 93 Connellsville Street, Dunbar, PA 15431 Dunbar Borough and Dunbar Township, **Fayette County**; ACOE Pittsburgh District

The applicant proposes to construct and maintain eight (8) utility line stream crossings of various watercourses within the Gist Run watershed basin (TSF), including Gist Run, several unnamed tributaries to Gist Run and Ferguson Run, which will cumulatively impact approximately 240' of these various watercourses; to construct, maintain and eventually remove six (6) temporary road crossings of some of the aforementioned watercourses, which will temporarily affect approximately 180' of these watercourses; to construct and maintain twenty (20) utility line crossings of several wetland areas (EV and PEM), which will cumulatively affect approximately 2.91 acres of wetland; for the purpose of collecting and conveying sewage from numerous, on-lot septic systems and an existing, malfunctioning waste water treatment plant, which will be eliminated, to another waste water treatment plant that will be expanded. The project location is roughly centered along U.S. Route 119, near the Connellsville Airport (Uniontown, PA Quadrangle N: 16.13 inches; W: 3.2 inches; Sub-basin: 19D; Chapter 93 Type TSF; Latitude: 39° 57' 49.7"; Longitude: 79° 38' 52.5") in Dunbar Borough and Dunbar Township, Fayette County.

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5829-049 Revised. Angelina Gathering Company, LLC**; 2350 Sam Houston Parkway E., Suite 125; Houston, TX 77032; Franklin and New Milford Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 9,406 square feet (0.22 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 53' 11" Lat., W -75° 45' 32" Long.),

2) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing

impacting 14,087 square feet (0.32 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 44" Lat., W -75° 45' 23" Long.),

3) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 1,869 square feet (0.04 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 42" Lat., W -75° 44' 58" Long.),

4) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 20 square feet (0.01 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 42" Lat., W -75° 45' 55" Long.),

5) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 87 square feet (0.01 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 40" Lat., W -75° 44' 45" Long.),

6) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 15,367 square feet (0.35 acre) of a PSS wetland (Franklin Forks, PA Quadrangle; N 41° 52' 40" Lat., W -75° 44' 43" Long.),

7) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 3,528 square feet (0.08 acre) of a PFO wetland (Franklin Forks, PA Quadrangle; N 41° 52' 40" Lat., W -75° 44' 44" Long.),

8) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 502 square feet (0.01 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 37" Lat., W -75° 44' 37" Long.),

9) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 7,336 square feet (0.17 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 35" Lat., W -75° 44' 37" Long.),

10) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 836 square feet (0.02 acre) of a PSS wetland (Harford, PA Quadrangle; N 41° 52' 06" Lat., W -75° 44' 07" Long.),

11) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 701 square feet (0.02 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 38" Lat., W -75° 43' 40" Long.),

12) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 1,184 square feet (0.03 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 30" Long.),

13) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 622 square feet (0.01 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 29" Long.),

14) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 13,006 square feet (0.30 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 40" Lat., W -75° 43' 26" Long.),

15) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat

crossing impacting 5,875 square feet (0.13 acre) of a PSS wetland (Harford, PA Quadrangle; N 41° 51' 40" Lat., W -75° 43' 21" Long.),

16) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 626 square feet (0.01 acre) of a PFO wetland (Harford, PA Quadrangle; N 41° 51' 40" Lat., W -75° 43' 20" Long.),

17) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 155 square feet (0.01 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 41" Lat., W -75° 43' 15" Long.),

18) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 87 lineal feet of an unnamed tributary to Beaver Creek (HQ-CWF, MF) (Franklin Forks, PA Quadrangle; N 41° 53' 12" Lat., W -75° 45' 34" Long.),

19) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 73 lineal feet of an unnamed tributary to Beaver Creek (HQ-CWF, MF) (Franklin Forks, PA Quadrangle; N 41° 53' 12" Lat., W -75° 45' 33" Long.),

20) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 86 lineal feet of Beaver Creek (HQ-CWF, MF) (Franklin Forks, PA Quadrangle; N 41° 53' 05" Lat., W -75° 45' 31" Long.),

21) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 15 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 52' 07" Lat., W -75° 44' 07" Long.),

22) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 75 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 33" Long.),

23) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 33 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 29" Long.),

24) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 30 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 29" Long.),

25) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 73 lineal feet of Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 41" Lat., W -75° 43' 21" Long.),

26) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 28 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 42" Lat., W -75° 43' 15" Long.),

27) a timber mat crossing impacting 819 square feet (0.02 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 52' 37" Lat., W -75° 44' 38" Long.),

28) a timber mat crossing impacting 8,368 square feet (0.19 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 38" Lat., W -75° 42' 56" Long.).

The project consists of constructing approximately 4.8 miles of 12" and 16" natural gas gathering line, and a 16" waterline from the Northwest 1 well site to the CDP-1 site; located in New Milford Township, Susquehanna County. The project will result in 500 lineal feet of stream channel impact, 1.34 acres of temporary wetland impact, and 0.51 acre of wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

**E4129-072: Anadarko E&P Onshore LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Pine Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) one 64 x 43-inch elliptical culvert and associated fill for a permanent access road impacting 60 linear feet of an unnamed tributary to Frozen Run (HQ-CWF) (Liberty, PA Quadrangle 41°30'10"N 77°00'31"W);

2) fill impacting 34,204 square feet within the floodway of an unnamed tributary to Frozen Run (HQ-CWF) for wearing surface improvements and widening of an existing access road (Liberty, PA Quadrangle 41°30'12"N 77°00'32"W);

3) fill impacting 2,629 square feet within the floodway of an unnamed tributary to Frozen Run (HQ-CWF) for wearing surface improvements and widening of an existing access road (Liberty, PA Quadrangle 41°30'10"N 77°01'13"W).

The project will result in a total of 60 linear feet of stream impacts and an additional 0.85 acre of floodway impacts for approximately 555 cubic yards of gravel all for the purpose of installing a permanent access roadway to multiple well sites for Marcellus well development.

#### ENVIRONMENTAL ASSESSMENTS

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**EA56-007. National Park Service.** c/o Allegheny Portage Railroad NHS, 110 Federal Park Road, Gallitzin, PA 16641, Stonycreek Township, **Somerset County**, ACOE Pittsburgh District.

On November 3, 2009, the Department approved an Environmental Assessment and granted 401 Water Quality Certification, under Section 401(a) of the Federal Clean Water Act, to the National Park Service (NPS), regarding the following activities:

1. to place and maintain fill, to construct and maintain a road with multiple pipes (18" or 30" minimum diameter) and to construct and maintain a boardwalk in 1.79 acres of wetland (PEM/POW),

2. to place and maintain fill in 0.2 acre of open water,

3. to remove 0.09 acre of wetland through the modification of an existing pond, and

4. to place and maintain fill in approximately 521 feet of an unnamed tributary within the Grove Run watershed (CWF),

for the purpose of constructing Phase 1A of the Flight 93 National Memorial. In addition, 2.09 acres of wetland (PEM/POW) will be temporarily impacted from the construction of a cofferdam and causeway, and 2.36 acres of open water will be temporarily dewatered, during the

construction of the memorial. The project is located off of Skyline Road, approximately 1.2 miles southeast of this roadway's intersection with Lambertsville Road, in Stonycreek Township, Somerset County. To compensate for the permanent impacts, 2.55 acres of replacement wetland, 0.2 acre of open water and 1,314 feet of channel will be constructed. If successfully created, the additional wetland replacement acreage of approximately 0.67 acre will be utilized to compensate for potential impacts that may result from the construction of future phases of the memorial (Pittsburgh ACOE District, Stoystown, Pa Quadrangle, N 9.5", West 4.2"; Sub-basin 18E, Latitude 40° 3' 8", Longitude 78° 54' 16").

The National Park Service is now requesting environmental assessment approval and 401 Water Quality Certification to temporarily impact approximately 1.65 acres of wetland (PEM/POW), to construct temporary access roads and crane pads, to facilitate the construction of the

pedestrian bridge/boardwalk, which was granted 401 Water Quality Certification with the previous/aforementioned environmental assessment approval.

#### DAM SAFETY

*Southwest Regional Office, Oil and Gas Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

[ **Permit # 95-7-37312-17** ] **CNX Gas Company LLC**, 200 Evergreene Drive, Waynesburg, PA 15370. To construct, operate and maintain the NV North #1 Centralized Pit, a 5.2 million gallon capacity centralized wastewater impoundment, to collect, store and reuse fracturing fluids from MOR-10-ASH: Permit No. 37-059-25421-D and other permitted wells in the area (PA Quadrangle; Prosperity, (Latitude N 40°04'28.21", Longitude -80°18'09.83") South Franklin Township, **Washington County**, Pittsburgh ACOE District, State Water Plan Basin 19B Tenmile Creek.

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## ACTIONS

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

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

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

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

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

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

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

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



**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS604801 (Storm Water)	Abramson Auto Wrecking 3149 Nittany Valley Drive Howard, PA 16841	Centre County Walker Township	Little Fishing Creek (9-C)	Y
PA0114073 (Sewage—SFTF)	Dominion Transmission— Tioga Station 576 Palmer Road Lawrenceville, PA 16929	Tioga County Farmington Township	UNT to Elkhorn Creek (4-A)	Y
PA0209457 (IW)	Craftmaster Manufacturing Inc. 825 Shiner Road Towanda, PA 18848	Bradford County Wysox Township	Laning Creek (4-D)	Y
PA0229172	Duncan Township Municipal Water Authority Water System 42 Duncan Township Road Wellsboro, PA 16901-9801	Tioga County Duncan Township	Sand Run (9-A)	Y
PAS804801 (Storm Water)	University Park Airport 2535 Fox Hill Road State College, PA 16803	Centre County Benner Township	Unnamed Tributary of Buffalo Run, Unnamed Tributary of Spring Creek and Unnamed Tributary to Spring Creek (9-C)	Y
PAS604802 (Storm Water)	Gray's Vehicle Clinic 1314 Axemann Road Bellefonte, PA 16823	Centre County Spring Township	Logan Branch (9-C)	Y
PA0033162 (Sewage)	Marta's Furnace MHP, LLC. 105 Peppermint Lane Julian, PA 16844	Centre County Huston Township	UNT to Bald Eagle Creek (9-C)	Y
PAS224801 (Storm Water)	Patterson Lumber Manufacturing 95 West Street Galeton, PA 16922	Potter County West Branch Township	West Branch Pine Creek (9-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0097462 Industrial Waste	ICMSA 602 Kolter Dr Indiana, PA 15701	Cambria Cnty Susquehanna Twp	Peg Run	Y
PA0098795 Industrial Waste	N Fayette Cnty Muni Auth 899 Riverside Dr Connellsville, PA 15425	Fayette Cnty Dunbar Twp	Youghiogheny River	Y
PA0094544 Sewage	Somerfield S Recreation Area 140 Marina Dr Addison, PA 15411	Somerset Cnty Addison Twp	Youghiogheny River	Y
PA0205915 Sewage	Dayton Boro 207 Mechanic St Dayton, PA 16222	Armstrong Cnty Dayton Boro	Glade Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0035505 (Sewage)	Faith Bldr Ed Programs 28500 Guys Mills Road Guys Mills, PA 16327	Crawford County Randolph Township	Unnamed Tributary of Woodcock Creek (16-A)	Y
PA0240001 (Sewage)	Clear Creek State Park Box 82 Main Park Road Sigel, PA 15860-9502	Jefferson County Heath Township	Clarion River (17-B)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0240095 (Sewage)	Mahoning Township WWTP US Route 224 Hillsville, PA 16132	Lawrence County Mahoning Township	Mahoning River (20-B)	Y
PA0238759 (Sewage)	Nancy Jane Oesterling SFTF 454 Keck Road Butler, PA 16002	Butler County Summit Township	Unnamed Tributary to Bonnie Brook (20-C)	Y
PA0240087 (Sewerage)	Paul V Wittenbrink SFTF Wolf Run Road Bradford, PA 16701	McKean County Corydon Township	Chander Run (16-B)	Y
PA0002151 (Industrial Waste)	Pittsburgh Corning Glass Manufacturing 701 North Main Street Port Allegany, PA 16743	McKean County Port Allegany Borough	Allegheny River and (16-C)	Y
PA0025291 (Sewage)	Southwest Warren County STP 174 Main Street Tidioute, PA 16351	Warren County Tidioute Borough	Allegheny River (16-F)	Y
PA0030295 (Sewage)	Commodore Perry School 3002 Perry Highway Hadley, PA 16130	Mercer County Perry Township	Millner Run (20-A)	Y

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

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

**NPDES Permit No. PAS314805**, Storm Water, SIC Code 1389, **Trican Well Service LP**, 920 Westport Parkway #200, Fort Worth, TX 76177-5102.

This proposed facility is located in Lamar Township, **Clinton County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

**NPDES Permit No. PA0229091 A-1**, CAFO, SIC Code 0213, 0251, **GNH Farms, LLC**, 224 White Church Road, Elysburg, PA 17824.

This existing facility is located in Cleveland Township, **Columbia County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing CAFO facility.

**NPDES Permit No. PA0009024 A-1**, Industrial, SIC Code 3339, **Global Tungsten & Powders Corp**, 1 Hawes Street, Towanda, PA 18848-2134.

This existing facility is located in North Towanda Township, **Bradford County**.

Description of Existing Action/Activity: Issuance of an amended NPDES Permit to include an internal monitoring point for the rare earth metal recovery project.

**NPDES Permit No. PA0229148**, CAFO SIC Code 0213, **Smiling Porker Farm**, 676 Granger Lane, Morris, PA 16938.

This proposed facility is located in Pine Township, **Lycoming County**.

Description of Size and Scope of Proposed Operation/Activity: The CAFO is situated near Unnamed Tributary to Hughes Run in Watershed 9-A, which is classified for High Quality Waters—Cold Water Fishes and. The CAFO is designed to maintain an animal population of approximately 537.5 animal equivalent units (AEUs) consisting of 4100 Swine. Manure is collected in underbarn storage units with a capacity of 1.053 million gallons. 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.

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

**NPDES Permit No. PA0022292**, Sewage, **Ebensburg Boro Muni Auth**, 300 W High St, Ebensburg, PA 15931

This proposed facility is located in Cambria Twp, **Cambria Cnty**

Description of Proposed Action/Activity: Permit issuance for discharge of treated sewage.

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

**PA0239844**, Industrial Waste, SIC Code 4941, **Aiken Water Co.**, 1 Aqua Drive, Gifford, PA 16732. Facility Name: Aiken WTP. This existing potable water treatment facility is located in Keating Township, **McKean County**.

Description of Proposed Activity: The permit is for a new NPDES permit for an existing discharge of untreated industrial waste.

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


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

**WQM Permit No. 5409401-T1**, Sewage, **Little Washington Wastewater Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This existing facility is located in East Union and North Union Townships, **Schuylkill County**.

Description of Proposed Action/Activity: Transfer of a WQM Permit from Eagle Rock Resort Company to authorize the operation and maintenance of low pressure sewer extensions and pump stations in Phases I, II, III and IV of the Western Summit South section of Eagle Rock Resort residential community.

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

**WQM Permit No. 6013401**, Sewage, SIC Code 4952, **Max J, Shower**, 1773 Seven Kitchens Road, Winfield, PA 17889.

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

Description of Proposed Action/Activity: The permittee is proposing the construction of a 3 bedroom single family residence treatment system that is comprised of an existing single compartment 2,000 gallon septic tank followed by a new 1,000 gallon in series, two (2) 40 ft<sup>2</sup> free access sand filters, an erosion chlorinator, a 450 gallon chlorine contact tank, and an outfall 001 to the West Branch Susquehanna River.

**WQM Permit No. 0812202**, Industrial Waste, SIC Code 3339, **Global Tungsten & Powders Corp.**, 1 Hawes Street, Towanda, PA 18848-2134.

This proposed facility is located in North Towanda Township, **Bradford County**.

Description of Proposed Action/Activity: Issuance of a new WQM permit for the treatment of wastewater produced in the Rare Earth Metal Recovery project.

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

**WQM Permit No. 1169402-A7**, Sewerage, **Windber Area Authority**, 1700 Stockholm Ave, Windber, PA 15963

This existing facility is located in Richland Twp, **Cambria Cnty**

Description of proposed Action/Activity: Permit amendment issuance.

**WQM Permit No. 9134S-A1**, Sewerage, **W Leechburg Boro**, 1015 Plazak St, W Leechburg, PA 15656

This existing facility is located in W Leechburg Boro, **Westmoreland Cnty**

Description of Proposed Action/Activity: Permit amendment issuance.

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

**WQM Permit No. 1011401**, Sewage, **Evans City Water & Sewer Authority**, 204 B. South Jackson St., Evans City, PA 16033.

This existing facility is located in Jackson Township, **Butler County**.

Description of Proposed Action/Activity: Permit to replace the existing activated sludge/extended aeration treatment process with an SBR treatment process.

**WQM Permit No. WQG02101301**, Sewerage, **Slippery Rock Municipal Authority**, P. O. Box 157, Slippery Rock, PA 16057.

This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: Permit for a pump station on Harmony Road to serve a student housing development.

**WQM Permit No. 2099401**, Sewerage, **Andrew U & Mariam D & Rueben U Miller**, 39762 Kunick Road, Centerville, PA 16404.

This existing facility is located in Rome Township, **Crawford County**.

Description of Proposed Action/Activity: Transfer of permit for a single residence sewage treatment plant.

**WQM Permit No. WQG018537**, Sewage, **Aaron J. Lewis**, 3120 Norcross Road, Erie, PA 16510-4214.

This existing facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Transfer of permit for a single residence sewage treatment plant.

**WQM Permit No. 6199401**, Sewage, **Amy L. & Bobby L. Fulton**, 275 Patchel Run Road, Franklin, PA 16323.

This existing facility is located in Sugarcreek Borough, **Venango County**.

Description of Proposed Action/Activity: Transfer of permit.

**WQM Permit No. 2092403**, Sewerage, **Amendment No. 2, North and South Shenango Joint Municipal Authority**, 3397 Dam Road, Jamestown, PA 16134-4403.

This existing facility is located in South Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: Expansion of wastewater treatment plant to upgrade average daily hydraulic capacity from 1.3 MGD to 1.7 MGD.

**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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1513002	James A. Nolen, IV 77 Farrier Lane Newtown Square, PA 19073	Chester	Willistown Township	Unnamed Tributary to Ridley Creek HQ
PAI01 151238	Conti Davis Residence 1609 Kimberton Road Chester Springs, PA 19425-1008	Chester	West Pikeland Township	Pickering Creek/Lower Delaware HQ
PAI01 1512043	Hankin Family Limited Partnership 707 Eagleview Boulevard Exton, PA 19341	Chester	East Goshen Township	Ridley Creek HQ-TSF
PAI01 511207	Ahmadiyya Philadelphia, LLC 1011 West Tabor Avenue Philadelphia, PA 19141	City of Philadelphia	Philadelphia County	Delaware River WWF-MF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024812015	PHI d/b/a Presbyterian Senior Living One Trinity Drive East Suite 201 Lititz, PA 17019	Northampton	City of Easton	Bushkill Creek, HQ-CWF,MF
PAI024811015	Jack E. Mulschlitz 2437 Southmoore Dr. Bath, Pa 18014	Northampton	Bushkill Twp. Bushkill Creek, HQ-CWF, MF	
PAI024512013	Zarembo Group, LLC 14600 Detroit Avenue Suite 1500 Lakewood, OH 44107	Monroe	Tobyhanna Twp.	Tobyhanna Creek, HQ-CWF, MF
PAI024506018R	Suburban Realty, LP 330 Oakford Road Clarks Summit, PA 18411	Monroe	Stroud Twp.	Wigwam Run, HQ-CWF, MF
PAS10S012R	Four Seasons at Camelback, L.P. 700 South Henderson Rd. Suite 300-B King of Prussia, PA 19406	Monroe	Pocono Twp. and Jackson Twp.	Pocono Creek and UNTs, HQ-CWF, MF; Wolf Swamp Run, EV, MF
PAI024810014	Elizabeth Burns 259 Neal Dow Ave. Staten Island, NY 10314	Northampton	Washington Twp.	Waltz Creek, HQ-CWF, MF
PAI026412008	PPL Electric Utilities Corp. Two North Ninth St. GENN 5 Allentown, PA 18101	Lackawanna and Wayne	Jefferson Twp. & Archbald Borough South Canaan, Cherry Ridge, Texas & Honesdale Borough	Laurel Run, CWF, MF; White Oak Run, CWF, MF; Lackawanna River, HQ-CWF, MF; Middle Creek, HQ-CWF, MF; West Branch Lackawaxen River, HQ-CWF, MF; Lackawaxen River, HQ-TSF, MF

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033613002	Burnell Nolt 1519 Slate Hill Road Peach Bottom, PA 17563	Lancaster	Drumore Township	UNT Peters Creek (HQ-WWF)

### VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

#### *General Permit Type—PAG-02*

#### *Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Schuylkill Township Chester County	PAG0200 1510040-R	Valley Forge Sewer Authority 333 Pawlings Road Phoenixville, PA 19460-2656	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Easttown Township Chester County	PAG0200 1512037	Schuylkill Township 111 Valley Park Road Phoenixville, PA 19460-5700	Rockledge LLC 4940 West Chester Pike Newtown Square, PA 19073	Darby Creek CWF-MF Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Sadsbury Township Chester County	PAG0200 1505096-R	JYF Partners P. O. Box 10 Sadsburyville, PA 19369	Buck Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511311	Cardone Industries, Inc. 5501 Whitaker Avenue Philadelphia, PA 19124	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Brunswick Twp., Schuylkill County	PAG02005413001	Pauline K. Ernst Estate Terry L. Ernst Keith A. Ernst HRI, Inc. 30 Pinedale View Drive, Orwigsburg, PA 17961; 90 Pinedale View Drive, Orwigsburg, PA 17961; 25 Springhouse Lane, Orwigsburg, PA 17961; 1750 W. College Ave., State College, PA 16801	Pine Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
West Brunswick Twp., and Deer Lake Borough, Schuylkill County	PAG02005413002	Keith A. Ernst Terry L. Ernst HRI, Inc. 25 Springhouse Lane, Orwigsburg, Pa 17961; 90 Pinedale View Drive, Orwigsburg, Pa 17961; 1750 W. College Ave., State College, PA 16801	Pine Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Newton Twp., Lackawanna County	PAG02003513004	Marley's Mission, Inc. 188 Shaffer Rd. Lake Ariel, PA 18459	Unnamed Tributary to Falls Creek, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
South Abington Twp., Lackawanna County	PAG02003512002(1)	South Abington Twp. 104 Shady Lane Rd. P. O. Box 259 Chinchilla, PA 18410	Leggetts Creek, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
City of Scranton, Lackawanna County	PAG02003512018	Pennsylvania American Water Company 800 W. Hershey Park Dr. Hershey, PA 17033	Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
Eldred Twp., Monroe County	PAG02004507001R	Greg Sander S & D Land Development Co., LP 875 Green St. Lehighton, Pa 18235	Buckwha Creek, CWF, MF;	Monroe Co. Cons. Dist. 570-629-3060
Lehigh Twp., Northampton County	PAG02004812018	Franklin T. Scott 3591 Spruce Dr. Northampton, PA 18067	Hokendauqua Creek, CWF, MF	Northampton Co. Cons. Dist. 610-746-1971

*Facility Location:  
Municipality &  
County*Lower Mt. Bethel  
Twp. and  
Washington Twp.,  
Northampton County

Permit No.

PAG02004812020

*Applicant Name &  
Address*Merchant's Bank  
Larry Rice  
1250 Braden Blvd.  
Ste. 300  
Easton, PA 18040*Receiving  
Water/Use*Little Martins  
Creek,  
CWF, MF*Contact Office &  
Phone No.*Northampton Co.  
Cons. Dist.  
610-746-1971*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802**Facility Location:  
Municipality &  
County*City of Harrisburg  
Dauphin County

Permit No.

PAG02002213014

*Applicant Name &  
Address*HACC  
1 HACC Drive  
Harrisburg, PA 17110*Receiving  
Water/Use*

Paxton Creek/WWF

*Contact Office &  
Phone No.*Dauphin Co  
Conservation District  
1451 Peters  
Mountain Rd  
Dauphin, PA 17018  
717.921.8100Gratz Borough  
Dauphin County

Permit No.

PAG02002213013

Steven Kauffman  
802 Ash Street  
Spring Glen, PA 17978Wiconisco  
Creek/WWFDauphin Co  
Conservation District  
1451 Peters  
Mountain Rd  
Dauphin, PA 17018  
717.921.8100York Township,  
Springettsbury  
Township,  
Windsor Township  
York County

Permit No.

PAG02006712002

Mark Malhenzie  
Penn Dot District 8.0  
2140 Herr Street  
Harrisburg, PA 17103-1699Mill Creek, Kreutz  
Creek/WWFYork Co.  
Conservation District  
118 Pleasant Acres  
Rd  
York, PA 17402-8984  
717.840.7430East Prospect  
Borough  
York County

Permit No.

PAG02006708013R

Scott Naylor  
8381 Lehman Road  
Dallastown, PA 17313

Cabin Creek/WWF

York Co.  
Conservation District  
118 Pleasant Acres  
Rd  
York, PA 17402-8984  
717.840.7430Newberry Township  
York County

Permit No.

PAG02006708062R

441 McNaughton  
Properties, LLC  
4400 Deer Path Road  
Harrisburg, PA 17110

Fishing Creek/TSF

York Co.  
Conservation District  
118 Pleasant Acres  
Rd  
York, PA 17402-8984  
717.840.7430Shrewsbury  
Township  
York County

Permit No.

PAG02006701259

Roy C. Smith  
Shrewsbury Gospel Temple  
447 West Forrest Avenue  
Shrewsbury, PA 17361UNT to Trout  
Run/CWFYork Co.  
Conservation District  
118 Pleasant Acres  
Rd  
York, PA 17402-8984  
717.840.7430*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701  
570.327.3636**Facility Location:  
Municipality &  
County*Clinton Township  
Lycoming County

Permit No.

PAG02004111019

*Applicant Name &  
Address*Commonwealth of PA  
Dept of Corrections  
PO Box 180  
Muncy PA 17756*Receiving  
Water/Use*Turkey Run  
WWF, MF*Contact Office &  
Phone No.*Lycoming County  
Conservation District  
542 County Farm Rd  
Ste 202  
Montoursville PA  
17754  
(570) 433-3003

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
South Buffalo Township Armstrong County	PAG02000313003	Thomas & Theodore Kijowski 444 Ford City Road Freeport, PA 16229	Allegheny River (WWF), Nicholson Run (WWF)	Armstrong County CD Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201 (724) 548-3435
Hopewell Township Beaver County	PAG02000413006	PennDOT Dist. 11-0 45 Thoms Run Road Bridgeville, PA 15017	UNT to Ohio River (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Center Township Beaver County	PAG02000413008	CJ Betters Real Estate 100 Bet-Tech Drive Aliquippa, PA 15001	Poorhouse Run (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Cranberry Township Butler County	PAG02001007021R	Mystic Ridge Development LLC PO Box 97 Mars PA 16046	Wolfe Run WWF; Unt Wolfe Run WWF	Butler County Conservation District 724-284-5270
Adams Township Butler County	PAG02001011004R	Fairview Farms Development LLC 1272 Mars Evans City Road Evans City PA 16033	Breakneck Creek WWF	Butler County Conservation District 724-284-5270
Slippery Rock Township Butler County	PAG02001012052(1)	Slippery Rock Municipal Authority 633 Kelly Blvd Slippery Rock PA 16057	Unt Slippery Rock Creek CWF	Butler County Conservation District 724-284-5270
Center Township Butler County	PAG02001013002	T&R Butler Limited Partnership 3895 Stoneridge Lane Dublin OH 43017-2152	Unt Connoquenessing Creek CWF	Butler County Conservation District 724-284-5270
Harborcreek Township Erie County	PAG02002513001	Dusckas Funeral Home Inc 2607 Buffalo Road Erie PA 16510	Unt Lake Erie CWF; MF	Erie County Conservation District 814-825-6403
Millcreek Township Erie County	PAG02002513002	Millcreek Community Hospital 5515 Peach Street Erie PA 16509	Beaver Run—Trib Walnut Creek CWF; MF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-3*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lebanon County / Palmyra Borough	PAR403507	Jennifer Taylor Waste Management / Palmyra-Recycling Facility 2710 Golden Key Road Kutztown, PA 18072	UNT Killinger Creek / TSF / 7-D	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County / Menallen Township	PAR213504	Dennis Knox Premier Magnesia, LLC 1305 Center Mills Road Aspers, PA 17304	UNT Opossum Creek / TSF & MF / 7-F	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Berks County / Cumru Township	PAR113547	Scott B. Haines Reading Materials, Inc.— South Reading Asphalt Plant 2052 Lucon Road Skippack, PA 19474	Schuylkill River / WWF & MF / 3-C	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County / Mount Joy Township	PAR503507 / A-1	Robert Garner Advanced Disposal Services—Lancaster Landfill, LLC 2487 Cloverleaf Road Elizabethtown, PA 17022	UNT Little Chiques Creek / 7-G	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Montoursville Borough Lycoming County	PAR804892	Williamsport Municipal Airport Authority 700 Airport Road Suite 204 Montoursville, PA 17754	West Branch Susquehanna River—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Lawrence Township Clearfield County	PAR904802	Clearfield Municipal Authority Clearfield County 107 E Market Street Clearfield, PA 16830	West Branch Susquehanna River—8-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Covington Township Tioga County	PAR604811	Covington Salvage Yard 2517 N. Williamson Road Covington, PA 16917	Tioga River, CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448
Sandy Township Clearfield County	PAR804848	Sheetz Inc. 5700 Sixth Avenue Altoona, PA 16602	Slab Run—17-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Muncy Borough Lycoming County	PAR114813	The Young Industries Inc. 16 Painter Street Muncy, PA 17756	UNT of West Branch Susquehanna River—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Collier Twp Allegheny Cnty	PAR706132	The Lane Const Corp 2 Prestley Rd Bridgeville, PA 15017	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
New Castle City Lawrence County	PAR808315	The Hill Railroad Car Company, Inc. 201 Power Street, New Castle, PA 16102	Shenango River 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Adams Township Butler County	PAR118336	Herr-Voss Stamco, Inc. PO Box AB 130 Main Street Callery, PA 16024	Unnamed Tributary of the Breakneck Creek 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Loyalsock Township Lycoming County	PAG045282	Allen L. Sponenberg 231 Livermoore Road Williamsport, PA 17701-9703	UNT of Miller's Run, 10-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Madison Twp., Lackawanna County	PAG082212	Lackawanna River Basin Sewer Authority Throop 145 Boulevard Ave. Throop, PA	Allan McLain SR 2004 Madison Twp., Lackawanna County	DEP, NERO 2 Public Square Wilkes-Barre, PA 18711 570-826-2511
Cumberland County / Lower Mifflin Township	PAG083570	Borough of Carlisle 54 N. Middlesex Road Carlisle, PA 17013	John Chestnut Farm 10 & 95 Chestnut Road Newville, PA 17241	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Cumberland County / Dickinson Township	PAG083570	Borough of Carlisle 54 N. Middlesex Road Carlisle, PA 17013	Peter Meleason Farm 2722 Ritner Highway Carlisle, PA 17015	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Cumberland County / West Pennsboro & Penn Townships	PAG083570	Borough of Carlisle 54 N. Middlesex Road Carlisle, PA 17013	Tim Fahnestock Farm 3633 Ritner Highway Newville, PA 17241	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Spring Township Centre County	PAG 08 4814	Borough of Bellefonte 236 West Lamb St. Bellefonte, PA 16823	Jesse & Barbara Schaeffer Farm Benner Township Centre County	NCRO 570-327-0526

*General Permit Type—Site Suitability Notice*

<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office &amp; Phone No.</i>
Quemahoning Township Somerset County	Synagro 171 Pittsburgh Street Derry, PA 15627	Rhoads Crosdale Farm	963473	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Harford Township Susquehanna County	PAG102280	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Unnamed Tributaries to East Branch Martins Creek, Unnamed Tributary to Leslie Creek and Unnamed Tributary to Nine Partners Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Hop Bottom Pipeline Brooklyn Township Susquehanna County	PAG102278	Williams Field Service Co. LLC 2000 Commerce Drive Pittsburgh, PA 15275	Unnamed Tributary to Dry Creek and Unnamed Tributary to Hop Bottom Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-12*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Juniata County / Monroe Township	PAG123554	Scott Ehrisman Farm 748 Hollow Road Richfield, PA 17086	Stony Run / TSF / 12-B	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-13**Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Aston Township Delaware County	PAG130122	Aston Township Delaware County 5021 Pennell Road Aston, PA 19014	Chester Creek, Marcus Hook Creek, Unnamed Tributary of Chester Creek, Unnamed Tributary to Chester Creek, Unnamed Tributary to West Branch Chester Creek and West Branch Chester Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Brookhaven Borough Delaware County	PAG130125	Brookhaven Borough Delaware County 2 Cambridge Road Suite 100 Brookhaven, PA 19015	Chester Creek, Ridley Creek, Unnamed Tributary to Chester Creek and Unnamed Tributary to Ridley Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

*General Permit Type—PAG-13 & MS4 Waivers**Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Old Forge Borough Lackawanna County	PAG132256	Old Forge Borough Lackawanna County 314 Main Street Old Forge, PA 18518	Lackawanna River—CWF Saint Johns Creek— CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Dalton Borough Lackawanna County	PAG132271	Dalton Borough Lackawanna County P O Box 95 Dalton, PA 18414	Ackerly Creek—TSF Unnamed Tributary to Ackerly Creek—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Taylor Borough Lackawanna County	PAG132205	Taylor Borough Lackawanna County 122 Union Street Taylor, PA 18517-1772	Keyser Creek—CWF St. Johns Creek—CWF Lackawanna River—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Throop Borough Lackawanna County	PAG132253	Throop Borough Lackawanna County 100 Hall Street Throop, PA 18512	Eddy Creek— WWF, MF Lackawanna River—CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Clarks Green Borough Lackawanna County	PAG132209	Clarks Green Borough Lackawanna County 104 N Abington Road Clarks Summit, PA 18411	UNT to Lackawanna Trail—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Waverly Township Lackawanna County	PAG132267	Waverly Township Lackawanna County PO Box 8 Waverly, PA 18657	Unnamed Tributary to Ackerly Creek—TSF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Factoryville Borough Wyoming County	PAG132241	Factoryville Borough Wyoming County 161 College Avenue Factoryville, PA 18419	South Branch Tunkhannock Creek—TSF, MF Unnamed Tributary to South Branch Tunkhannock Creek—CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
West Abington Township Lackawanna County	PAG132295	West Abington Township Lackawanna County RR# 3 Box 26 Dalton, PA 18414	Beaver Creek—CWF UNT to Beaver Creek—CWF UNT to South Branch Tunkhannock Creek—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
South Abington Township Lackawanna County	PAG132208	South Abington Township Lackawanna County 104 Shady Lane Road Chinchilla, PA 18410	Summit Lake Creek—TSF, MF Leggetts Creek—TSF, MF UNT to Leggetts Creek—CWF UNT to Griffon Pond—CWF UNT to Ackerly Creek—CWF South Branch Tunkhannock Creek—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Dickson City Borough Lackawanna County	PAG132210	Dickson City Borough Lackawanna County 801-803 Boulevard Avenue Dickson City, PA 18519-1517	Pancost Creek—CWF Lackawanna River—CWF Unnamed Tributary to Lackawanna River—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-13*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133657	Samuel C. Snyder Yoe Borough 150 North Maple Street Yoe, PA 17313	York	Yoe Borough	Mill Creek / WWF & MF / 7-H	Y

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133656	Charles Farley Dover Township 2480 West Canal Road Dover, PA 17315	York	Dover Township	Fox Run, Little Conewago Creek, UNT Fox Run and UNT Little Conewago Creek / TSF & MF / 7-F	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG138322	Lawrence Park Township, 4230 Iroquois Avenue, Erie, PA 16511-2164	Erie County	Lawrence Park Township	Fourmile Creek, Lake Erie, & Unnamed Tributaries to Lake Erie	Y
PAG138319	Pennsylvania State University 4701 College Drive Erie, PA 16563	Erie County	Harborcreek Township	Fourmile Creek	Y

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**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>
Broc Troxell 250 Showers Road New Columbia PA 17856	Union	531.38	1498.56	Swine	NA	Approved
Broc Troxell 250 Showers Road New Columbia PA 17856	Union	534.38	1498.56	Swine	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form

and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for 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

*Central Office: Bureau Director, Safe Drinking Water, PO Box 8467, Harrisburg, PA 17105-8467*

**Permit No. [9996284]**, Public Water Supply.

Applicant	<b>[Miscoe Springs, Inc.]</b>
[Township or Borough]	[Mendon, Massachusetts]
Responsible Official	[Janet Allaire, Manager]
Type of Facility	[Out of State Bottled System]
Effective Date	[April 4, 2013]
Description of Action	[Public Water Supply Permit to sell bottled water in Pennsylvania Rescinded for company going out of business and non-compliance with the monitoring requirements. All bottled water products from Miscoe Spring's, Inc. barred for sale in Pennsylvania.]

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

**Permit No. 4413501 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Municipal Authority of the Borough of Lewistown</b>
Municipality	Union Township
County	<b>Mifflin</b>
Responsible Official	Craig Bubb, Superintendent 70 Chestnut Street Lewistown, PA 17004-2216
Type of Facility	Construction of a 97,000 gallon storage tank to replace the existing 65,000 gallon Rockville storage tank.
Consulting Engineer	Michele A Aukerman, P.E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit to Construct Issued:	3/13/2013

**Permit No. 6713507 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Pennsylvania American Water</b>
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Municipality	Fairview Township
County	<b>York</b>
Responsible Official	David R. Kaufman, Vice President—Engineering 852 Wesley Drive Mechanicsburg, PA 17055
Type of Facility	Installation of bulk storage and feed system for sodium permanganate at the West Shore Water Treatment Plant.
Consulting Engineer	Scott M Thomas, P.E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued:	4/15/2013

**Operations Permit** issued to: **Alexandria Borough Water Authority**, 4310021, Alexandria Borough, **Huntingdon County** on 4/9/2013 for the operation of facilities approved under Construction Permit No. 3102504.

**Operations Permit** issued to: **Sandy Point Properties, LTD**, 7210022, North Middleton Township, **Cumberland County** on 4/12/2013 for the operation of facilities approved under Construction Permit No. 2112515 MA.

**Operations Permit** issued to: **New Life For Girls Inc.**, 7670122, Conewago Township, **York County** on 3/5/2013 for the operation of facilities approved under Construction Permit No. 6712516 MA.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448*

**Permit No. 5913501-MA—Construction** Public Water Supply.

Applicant	<b>Mansfield University</b>
[Township or Borough]	Mansfield Borough
County	<b>Tioga</b>
Responsible Official	Mr. Rick Nelson Utility Plant Manager Mansfield University of PA 113 Sherwood Street Brooks Maintenance Building Mansfield, PA 16933
Type of Facility	Public Water Supply
Consulting Engineer	Gwin, Dobson and Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit Issued	April 16, 2013
Description of Action	Construction of a new 1.0 MG finished water storage tank, associated piping and a relocated interconnection with Mansfield Borough to serve as a backup source for the University.

**Pennsylvania American White Deer (Public Water Supply), Northumberland County:** On April 16, 2013, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan Pennsylvania American White Deer. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their

community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

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

**Operations Permit** issued to: **Municipal Authority of the Borough of Edgeworth**, 313 Beaver Road, Edgeworth, PA 15143, (PWSID #5020015) Franklin Park Borough, **Allegheny County** on April 10, 2013 for the operation of facilities approved under Construction Permit # 0212523MA.

**Operations Permit** issued to: **North Fayette County Municipal Authority**, 1634 University Drive, PO Box 368, Dunbar, PA 15431, (PWSID #5260019) Dunbar and Union Townships, **Fayette County** on April 3, 2013 for the operation of facilities approved under Construction Permit # 2611511MA.

**Operations Permit** issued to: **North Fayette County Municipal Authority**, 1634 University Drive, PO Box 368, Dunbar, PA 15431, (PWSID #5260019) North and South Union Townships, **Fayette County** on April 3, 2013 for the operation of facilities approved under Construction Permit # 2611510MA.

**Operations Permit** issued to: **North Fayette County Municipal Authority**, 1634 University Drive, PO Box 368, Dunbar, PA 15431, (PWSID #5260019) North Union Township, **Fayette County** on April 3, 2013 for the operation of facilities approved under Construction Permit # 2611509.

**Operations Permit** issued to: **Portage Borough Municipal Authority**, 606 Cambria Street, Portage, PA 15946, (PWSID #4110027) Portage Township, **Cambria County** on April 9, 2013 for the operation of facilities approved under Construction Permit # 1111504MA.

**Operations Permit** issued to: **GW Services, Inc., d/b/a Glacier Water**, 1385 Park Center Drive, Vista, CA 92081, (PWSID #5026467) **Westmoreland County** on April 3, 2013 for the operation of facilities approved under Construction Permit # 5026467-169.

**Operations Permit** issued to: **GW Services, Inc., d/b/a Glacier Water**, 1385 Park Center Drive, Vista, CA 92081, (PWSID #5026467) **Cambria County** on April 3, 2013 for the operation of facilities approved under Construction Permit # 5026467-168.

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

**Permit No., 2064-T1-MA3** Public Water Supply

Applicant	<b>Johnsonburg Municipal Authority</b>
Township or Borough	Johnsonburg Borough
County	<b>Elk</b>
Type of Facility	Public Water Supply
Consulting Engineer	Mark V. Glenn, P.E. Gwin, Dobson and Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit to Construct Issued	April 10, 2013

**Operation Permit** issued to **Thomas E. Barrows & Ms. Barbara A. Stafford d/b/a Grandview Acres Mobile Home Park**, PWSID #6430042, Perry Township, **Mercer County**. Permit Number 4388503-T1-MA1 is-

sued April 10, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Sandra Moyer d/b/a Country Roads Mobile Home Park**, PWSID #6370019, Shenango Township, **Lawrence County**. Permit Number 3799501-T1-MA1 issued April 11, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Joseph Cupec d/b/a Cupec Mobile Estates**, PWSID #5100087, Clay Township, **Butler County**. Permit Number 1088508-MA1 issued April 11, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Cancellation of Permit** issued to **Mars Home for Youth**, PWSID #5100047, Mars Borough, **Butler County** on April 11, 2013. This action represents the cancellation of Permit Number 1088510-T1 issued August 10, 2000. This action is a result of Mars Home for Youth no longer being a Public Water Supply.

**WATER ALLOCATIONS**

**Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA56-1003, Water Allocations. Cambria Somerset Authority**, 244 Walnut Street, Johnstown, PA 15901, **Somerset County**. Modification order to revise permit condition 20.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, 35 P. S. §§ 750.5**

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Coplay-Whitehall Sewer Authority	3213 MacArthur Road Whitehall, PA 18052	Lehigh
Whitehall Twp.	3219 MacArthur Road Whitehall, PA 18052	Lehigh

*Plan Description:* The approved Coplay Creek Interceptor Alternate Route Special Study Act 537 Plan for Whitehall Township (Plan), dated February 2013 and revised on March 13 and 18, 2013, provides for an alternate route of the Coplay Creek Interceptor that supersedes the previously approved Coplay Creek Interceptor routing. The original routing was included in the April 2010 Act 537 Plan, dated April 2010. The Interceptor's Alternate Route incorporates the same service area as the April 2010 Plan.

The Alternate Route is for the northernmost 1600 feet of interceptor pipe. The starting point is near the intersection of Reliance Street and Bridge Street. The ending point is near Essroc Road, on the southern side of Coplay Creek. The alternate route also includes an additional 575 feet of pipe for three new stream crossings that



connect with the Interceptor. The PA Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is the project's funding source. The Department's review of the project has not identified any significant, adverse environmental impact resulting from the proposal.

*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>
Longswamp Township	1112 State St. Mertztown, PA 19539	Berks County

*Plan Description:* Approval of a revision to the official plan of Longswamp Township, Berks County. The project is known as the Jack Larkin Property. The plan provides for an existing residential lot proposing a small flows treatment facility (SFTF) to replace a malfunctioning on-lot septic system. The SFTF will treat 400 gallons of sewage per day and discharge to an unnamed tributary of the Little Lehigh Creek (HQ). The proposed development is located at 275 Pilgert St., Longswamp Twp. Berks County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06939-148-3S and the APS Id is 794260. Any permits must be obtained in the name of the property owner.

## HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

### Public Notice of Proposed Consent Order and Agreement Marino Brothers HSCA Site Borough of Rochester, Beaver County

Under Section 1113 of the Pennsylvania Hazardous Sites Cleanup Act, Act of October 18, 1988, P. L. 756, No. 108, 35 P. S. §§ 6020.101—6020.1305 ("HSCA"), notice is hereby given that the Department of Environmental Protection ("Department") has entered into a proposed Consent Order and Agreement ("CO&A") with the Borough of Rochester and Castlebrook Development Group concerning the environmental investigation and cleanup of the former Marino Brothers Scrap Yard ("Site") and reimbursement of the Department's response costs. The Site is located in the Borough of Rochester, Beaver County.

The terms of the settlement are set forth in the CO&A, which is available for review at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA. The Department will receive and consider comments relating to the CO&A for sixty (60) days from the date of this Public Notice. Comments may be submitted, in writing, to Terry Goodwald, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Mr. Goodwald at 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay Services at 800-645-5984.

The Department has reserved the right to withdraw its consent to the CO&A if comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public

interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

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Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Dotterer Residence**, 1042 4th Street, North Catasauqua Township, **Northampton County**, Richard Trimpi, Trimpi Associates, Inc., has submitted a Final Report on behalf of his client, Mr. Richard Dotterer, 1042 4th Street, Catasauqua, PA 18032, concerning the remediation of soil found to have been impacted by #2 fuel oil as a result of a release to the basement dirt floor because of corrosion along the bottom of the 275 gallon aboveground storage tank. 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 Express Times* on March 28, 2013.

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

**Former Exxon Mobil Oil Corporation—Mt. Union Terminal #37-058**, 15534 Croghan Pike, Mt. Union, PA 17260, Shirley Township, **Huntingdon County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of ExxonMobil Environmental Services, 38 Varick Street, Brooklyn, NY 11222, submitted a combined Remedial Investigation Report and Final Report concerning remediation of site soils and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to a combination of Non-Residential Statewide Health and Site-Specific standards.

**Cloister Heights**, 830 West Main Street, Ephrata Borough, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Community Basics, 941 Wheatland Avenue, Suite 204, Lancaster, PA 17603, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Marsh Run Park/ New Cumberland Army Depot Landfill**, Mifflin Avenue and Marsh Run Road, New Cumberland, PA 17070, Fairview Township, **York County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033, on behalf of U.S. Army Corps of Engineers, 10 South Howard Street, Baltimore, MD 21201, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site-Specific Standards.

**Conestoga River Plaza/Miguel's Nightclub**, 902 South Duke Street, Lancaster, PA 17602, City of Lancaster, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Conestoga River Plaza/Miguel's Nightclub, 902 South Duke Street, Lancaster, PA 17602-4661 and SACA Development Corporation, 453 South Lime Street, Suite B, Lancaster, PA 17602-3652, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with Inorganics and SVOCs from historic fill. The combined report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Kaukonen Residence**, 653 Greenhills Road, Sewickley Township, **Westmoreland County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Dale Kaukonen, 653 Greenhills Road, Irwin, PA 15642, has submitted a final report to remediate site soil and groundwater contaminated with No. 2 heating oil from a storage tank release. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Biondi Motor Company**, 3690 William Penn Highway, Monroeville, **Allegheny County**. Cummings/Riter

Consultants, 300 Penn Center Blvd., Suite 800, Pittsburgh, PA 15235 on behalf of Daniel Biondi, 3690 William Penn Highway, Monroeville, PA 15146 has submitted a final report concerning the remediate of site groundwater contaminated with lead. The report is intended to document remediation of the site to meet the statewide health standard.

**Proposed Autozone #4633 (former Premier Auto Detailing)**, 655 East Pittsburgh Street, Greensburg, **Westmoreland County**. The Mannik & Smith Group, 23225 Mercantile, Beachwood, Ohio 44122 on behalf of LRC AZ Greensburg Investors, LLC, 1585 Frederick Boulevard, Akron, Ohio 44320 submitted a final report concerning remediation of site soil and groundwater contaminated with petroleum compounds from its former use as a gasoline service station and garage. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Union Railroad Company Monongahela Junction Yard**, Intersection of North Duquesne Boulevard & Hoffman Boulevard, City of Duquesne and Borough of West Mifflin, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Festival Fun Parks LLC, 4800 Kennywood Boulevard, West Mifflin, PA 15122 has submitted a final report concerning remediation of site soils contaminated with Arsenic, Lead, Benzo(a)anthracene and Chromium and groundwater contaminated with Iron and Manganese. The report is intended to document remediation of the site to meet the Site-specific Standard.

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

**Mount Carmel Former MGP Site**, West Railroad Street and Vine Street, Mt. Carmel Township **Northumberland County**. Silar Services Inc., 983 Butler Pike, Blue Bell, PA 19422, on behalf of UGI Utilities Inc., 2525 North 12th Street, Reading, PA 19605 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Toluene, Xylene (total), Acenaphthene, Acenaphthylene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Benzo(k)fluoranthene, Chrysene, Dibenzo(a,h)anthracene, Fluoranthene, Fluorene, Indeno(1,2,3-cd)pyrene, Naphthalene, Phenanthrene, Pyrene. The report is intended to document remediation of the site to meet the Statewide Health Standard & Site-Specific Standard.

**Mount Carmel Former MGP Site**, West Railroad Street and Vine Street, Mt. Carmel Township, **Northumberland County**. Silar Services Inc., 983 Butler Pike, Blue Bell, Pa 19422 on behalf of UGI Utilities Inc., 2525 North 12th Street, Reading, Pa 19605, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Toluene, Xylene (total), Acenaphthene, Acenaphthylene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Benzo(k)fluoranthene, Chrysene, Dibenzo(a,h)anthracene, Fluoranthene, Fluorene, Indeno(1,2,3-cd)pyrene, Naphthalene, Phenanthrene, Pyrene. The Final report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 2, 2013.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Global Companies-Macungie Terminal** (Pipeline Petroleum), Tank Farm and Shipper Road, Lower Macungie and Upper Milford Township, **Lehigh County**. John Grelis, Grelis Environmental Services, LLC, 7 Cedar

Lane, East Windsor, NJ 08520 had submitted a Remedial Investigation Report/Remedial Action Report/Remedial Action Work Plan (Remedial Investigation Report/Cleanup Plan) on behalf of his client, Global Companies, LLC, Watermill Center, 800 South Street, PO box 9161, Waltham, MA 02454-9161, concerning the remediation of soil found to have been impacted by unleaded gasoline as a result of a discharge from the underground supply piping located outside the containment area at this petroleum storage and distribution terminal. The combined report documented attainment of the Site Specific Standard for soil and was approved on March 27, 2013.

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

**Market Street Parking Lot**, 405-421 North Market Street, Lancaster, PA 17603, City of Lancaster, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Prince Street Associates, LP, PO Box 1806, Lancaster, PA 17601, and Redevelopment Authority of the City of Lancaster, 120 North Duke Street, Lancaster, PA 17602, submitted a Final Report for site soils and groundwater contaminated with gasoline released from non-regulated underground storage tanks. The Final Report demonstrated attainment of the Nonresidential Statewide Health standard for soils and Residential Statewide Health standard for groundwater, and was approved by the Department on April 8, 2013.

**Former Sunoco York Terminal**, 280 North East Street, City of York, **York County**. Envirotrac, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sunoco, Inc., 5733 Butler Street, Pittsburgh, PA 15201, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil and unleaded gasoline. The combined report did not demonstrate attainment of the Statewide Health and Site-Specific standards, and was disapproved by the Department on April 8, 2013.

**Marsh Run Park/ New Cumberland Army Depot Landfill**, Mifflin Avenue and Marsh Run Road, New Cumberland, PA 17070, Fairview Township, **York County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033, on behalf of U.S. Army Corps of Engineers, 10 South Howard Street, Baltimore, MD 21201, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents. The Final Report was not administratively complete and was disapproved by the Department on April 11, 2013.

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

**Erie County Convention Center Authority Bayfront Site** (Fmr. GAF Materials Corp.), City of Erie, **Erie County**. AMEC E&I, Inc., 800 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of the Erie County Convention Center Authority, 809 French Street, Erie, PA 16501 has submitted a Cleanup Plan concerning the remediation of site soils contaminated with arsenic, anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[g,h,i]perylene, carbazole, chrysene, dibenzo(a,h)anthracene, dibenzofuran, indeno[1,2,3-cd]pyrene, 2-methylnaphthalene, fluoranthene, 4-methylphenol[p-cresol], naphthalene, 4-nitroaniline, and 1,3,5-trimethylbenzene and site groundwater contaminated with iron, aluminum, 2-methylnaphthalene, anthracene, benzo[a]anthracene,

benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, benzo[k]fluoranthene, chrysene, 2,4-dichlorophenol, dibenzo(a,h)anthracene, fluoranthene, indeno[1,2,3-cd]pyrene, phenanthrene, pyrene, 4-methylphenol[p-cresol], naphthalene, and benzene. The Cleanup Plan was approved by the Department on April 5, 2013.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP19-04-00736: Valves, Inc.** (P. O. BOX 1186, 1291 Airport Road, Aliquippa, PA 15001) on April 15, 2013, to allow the installation and operation of steel shot blast recovery system controlled by dust collector rated at 16,000 scfm at their dry abrasive blasting facility located in Hopewell Township, **Beaver 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.**

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**38-03053A: Kreamer Funeral Home & Crematory, Inc.** (618 East Main Street, Annville, PA 17003-1513) on April 9, 2013, to operate a Matthews, Model IE43-PPII crematory at their Kreamer Funeral Home & Crematory, Inc. in Union Township, **Lebanon County**.

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

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

**17-00067A: EOG Resources, Inc.** (400 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317-8548) on April 5, 2013, to construct two (2) 2370 bhp Caterpillar model G3608LE, 4-stroke lean burn, natural-gas-fired reciprocating internal combustion engines and one 100 MMscf/day glycol dehydration unit equipped with a 1.0 MMBtu/hr natural-gas-fired reboiler at their Tyler Road Compressor Station in Lawrence Township, **Clearfield County**.

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

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

**10-380B: Mountain Gathering, LLC—Jefferson Compressor Station** (810 Houston Street, Fort Worth, TX 76102) on April 8, 2013, to construct a natural gas compressor station at 910 Saxonburg Road, Butler, PA 16002 in Jefferson Township, **Butler County**. The compressor station will consist of eight (8) natural gas compressor engines rated at 1,775 bhp, three (3) 16,800

gallon condensate storage tanks with a flare to control VOC emissions and TEG dehydrator unit rated at 1.5 MMBtu/hr.

**10-381A: Mountain Gathering, LLC—Forward Compressor Station** (810 Houston Street, Fort Worth, TX 76102) on April 8, 2013, to construct a natural gas compressor station at 275 Powder Mill Road, Renfrew, PA 16053 in Forward Township, **Butler County**. The compressor station will consist of eight (8) natural gas compressor engines rated at 1,775 bhp, three (3) 16,800 gallon condensate storage tanks with a flare to control VOC emissions and TEG dehydrator unit rated at 1.5 MMBtu/hr.

**16-160A: Clarion Altela Environmental Services, LLC** (3099 Piney Dam Road, Clarion, PA 16214) on April 9, 2013, to construct twelve additional AltelaRain 600 modules to process produced water and frac flow-back water generated by natural gas wells in Piney Township, **Clarion County**. This is a State Only facility.

**42-238A: CARES McKean, LLC** (2458 Campbelltown Road, Kane, PA 16735) on April 9, 2013, to construct 12 additional AltelaRain 600 modules to process produced water and frac flow-back water generated by natural gas wells in Sergeant Township, **McKean County**. This is a State Only facility.

**43-363A: Pennex Aluminum Co.** (93 Werner Road, Greenville, PA 16125-9499) on April 11, 2013, to install two (2) melting furnaces, a holding furnace, two (2) homogenizing furnaces and three (3) billet saws in Sugar Grove Township, **Mercer County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**15-0009C: AGC Chemicals America, Inc.** (255 South Bailey Road, Downingtown, PA 19355) on April 8, 2013, to operate a fluidized bed dryer in Caln Township, **Chester County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**28-05045A: PPL Renewable Energy, LLC** (Two North Ninth Street (GEN PL2), Allentown, PA 18101) on April 11, 2013, for construction and temporary operation of a landfill gas electric generation facility, to be known as the Blue Ridge Renewable Energy Plant, at the Blue Ridge Landfill, in in Greene Township, **Franklin County**. The Blue Ridge Renewable Energy Plant will consist of a landfill gas treatment system, four (4) landfill gas-fired reciprocating internal combustion engines (RICES), four (4) associated electric generators, and an enclosed ground flare. The plan approval was extended.

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

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

**53-00009D: Morgan AM&T, Inc.** (1118 East Second Street, Coudersport, PA 16915) on April 15, 2013, to extend the authorization for construction of an electric powered de-bind oven (Source ID 122) equipped with a natural gas fired thermal oxidizer (control device ID C122) to control the air contaminant emissions from the oven at their Coudersport plant in Eulalia Township, **Potter County** until October 14, 2013. The plan approval has been extended.

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

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

**65-00979A: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) on April 9, 2013, to memorialize the removal of a Waukesha L5794LT compressor engine authorized under GP5-65-00979E, require installation of an oxidation catalyst on the Caterpillar G3516LE compressor engine authorized under GP5-65-00979E, and prohibit the simultaneous operation of the Caterpillar G3516LE and G3512LE compressor engines authorized under GP5-65-00979E while allowing a single new G3612LE engine authorized under PA-65-00979 to begin temporary operation at the Herminie Compressor Station in South Huntingdon Township, **Westmoreland County**. This authorization will result in a potential to emit increase of 2.49 tons of nitrogen oxides (NO<sub>x</sub>) and 3.02 tons of carbon monoxide (CO), and a decrease of 9.53 tons of volatile organic compounds (VOC), 0.68 ton of particulate matter less than 10 or 2.5 microns in diameter (PM<sub>10</sub>/PM<sub>2.5</sub>), 0.51 ton of formaldehyde (HCHO), 0.86 ton of total hazardous air pollutants (HAPs), and 16,815 tons of carbon dioxide equivalents (CO<sub>2</sub>e).

**65-00983A: Dominion Transmission, Inc.—Rock Springs Compressor Station** (1875 Grange Road, Charleroi, PA, 15022) on April 15, 2013, for a plan approval extension in order to have additional time to prepare and submit an application to convert the plan approval into an operating permit in Salem Township, **Westmoreland County**. The plan approval is being extended until October 20, 2013.

**63-00955B: National Fuel Gas Supply Corp.** (1100 State Street, Erie, PA 16512) on April 15, 2013, to change and clarify the methods by which greenhouse gas emissions will be limited and demonstrated to be less than 100,000 tons per year from air contamination sources at Buffalo Compressor Station located in Buffalo Township, **Washington County**. Heat input limitations on the two natural gas-fired turbines rated at 10,280 hp each and two lean burn natural gas-fired engines rated at 2,370 bhp each and controlled by oxidation catalysts have been reduced. The plan approval has been extended.

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2507*

**48-00027: IESI PA Bethlehem Landfill Corp.** (2335 Applebutter Road, Bethlehem, PA 18015-6004) on April 12, 2013, to operate a Landfill in Lower Saucon Township, **Northampton County**. This is a renewal of the Title V Operating Permit. As a major source, the facility

is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The main sources and control devices at this facility are the landfill operations, leachate storage, landfill gas collection flare, portable crushing operations, CAT engine, and water sprays. The Title V Operating Permit include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-05027: York Wallcoverings, Inc.** (750 Linden Avenue, PO Box 5166, York, PA 17405-5166) on April 9, 2013, for their wallpaper manufacturing facility in York City, **York County**. The Title V permit was renewed.

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

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

**04-00235: FirstEnergy LLC—Bruce Mansfield Generating Station** (128 Ferry Hill Road, Shippingport, PA 15077) on April 2, 2013, issued a renewal Title V Operating Permit (TVOP-04-00235) and an Acid Rain Permit to FirstEnergy to authorize operation of the Bruce Mansfield facility in Shippingport, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that on April 2, 2013, it issued a renewal Title V Operating Permit (TVOP-04-00235) and an Acid Rain Permit to FirstEnergy to authorize the operation of the Bruce Mansfield facility located in Shippingport, Beaver County.

The facility's main sources include three 914 megawatt pulverized coal-fired electric generating units, four boilers, two diesel generators, material storage and handling equipment, space heaters and other smaller sources. Units #1 and #2 are equipped with a wet venturi scrubber for SO<sub>2</sub> and particulate control, low-NO<sub>x</sub> burners, separate over-fired air and selective catalytic reduction (SCR) for NO<sub>x</sub> control, and a sodium bisulfite injection system (SBS) for SO<sub>3</sub>/opacity control. Unit #3 is equipped with an electrostatic precipitator (ESP) followed by a horizontal weir scrubber for particulate and SO<sub>2</sub> control. Unit #3 is also controlled with SCR, low-NO<sub>x</sub> burners, separate over-fired air, and the SBS system. Other sources at this facility include three auxiliary boilers, two diesel generators, material handling and storage equipment, and other smaller sources.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 2,356 tons of carbon monoxide, 49,452 tons of nitrogen oxides, 62,519 tons of sulfur oxides, 10,452 tons of particulate matter, 3.0 tons of volatile organic compounds, 42 tons of ammonia, 5,766 tons of hazardous air pollutants, including 5,115 tons of hydrochloric acid, 639.3 tons of hydrofluoric acid, 1.79 tons of lead, and 707 pounds of mercury, and 21,534, 178.5 tons of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been

derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and Pa. Code Title 25, Article III, Chapters 121 through 145.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**10-00284: Seneca Landfill, Inc.** (PO Box 1080, Mars, PA 16046-1080) on April 12, 2013, issued an administrative amendment to the Title V Operating Permit to incorporate the conditions of plan approval 10-284E and 10-284F into the permit for their facility in Jackson Township, **Butler County**.

**25-00029: Erie Coke Corp.** (PO Box 6180, Erie, PA 16512) on March 27, 2013, renewed the Title V Operating Permit for their foundry coke producing plant in the City of Erie, **Erie County**. The facility's major emission sources include 2 coke oven gas-fired boilers (1 rated at 60 million Btu/hr and 1 at 77.2 million Btu/hr), coke oven batteries A and B, by-product recovery processes, and wastewater treatment. The facility is a major facility due to its potential to emit HAPs and VOCs. Emissions for the year 2011 were 73.2 tons CO, 105.9 tons NO<sub>x</sub>, 131.2 tons SO<sub>x</sub>, 71.19 tons VOCs, and 34.3 tons PM-10. This facility is subject to the following federal standards: 40 CFR Part 63 Subpart L, NESHAPs for Coke Oven Batteries; 40 CFR Part 63 Subpart CCCCC, NESHAPs for Coke Ovens—Pushing, Quenching, and Battery Stacks; 40 CFR Part 63 Subpart DDDDD, NESHAPs for ICI Boilers and Process Heaters; and 40 CFR Part 61 Subpart L, NESHAPs for Benzene Emissions from Coke By-product Recovery Plants. Since the facility is major for VOCs, it is subject to RACT requirements of 25 Pa. Code §§ 129.91 through 129.95. The Battery underfire system is subject to Compliance Assurance Monitoring and CAM requirements are added to the renewal permit to comply with 40 CFR Part 64.

**62-00017: United Refining Co.** (15 Bradley Street, Box 780 Warren, PA 16365-0780) on April 4, 2013, issued an administrative amendment to the Title V Operating Permit for their refinery in Warren City, **Warren County**. The amendment incorporated the conditions from Plan Approval 62-017T as well as the amendments to 40 CFR 63 Subpart ZZZZ and DDDDD based on the April 1, 2013 effective date.

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

*Contact: Thomas Huynh, Chief—Telephone: 215-685-9476*

**V11-034: Philadelphia Gas Works—Richmond Plant** (3100 E Venango Street, Philadelphia, PA 19134) on April 14, 2013, to operate a natural gas utility in the City of Philadelphia, **Philadelphia County**. Activities include liquefied natural gas (LNG) storage and distribution of natural gas to the city of Philadelphia. The facility's air emission sources include eight (8) heaters (six are between 94.1 and 105.0 MMBTU/hr, two are 11 MMBTU/hr or less), four (4) turbines 13.7 MMBTU/hr or less three, two (2) 170 HP emergency generators, three (3) boilers/heater less than 10 MMBTU/hr, and three (3) 295 HP engines.

**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*

**09-00046: RJM Manufacturing Inc.** (250 Canal Road, Fairless Hills, Pa 19030) on April 10, 2013, for a renewal of the State Only (Synthetic Minor) Operating Permit issued on April 11, 2008 in Falls Township, **Bucks County**. This proposed renewal of the State Only Operating permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. RJM manufactures pressure sensitive tapes. Coaters are used to apply a water based acrylic adhesive. One coater uses solvent based coating, from which the VOC emissions are controlled by a catalytic oxidizer. Total VOC emissions from the facility are limited to 24.9 tons/yr on a 12-month rolling basis. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00092: Main Line Hospitals, Inc.—Paoli Memorial** (255 West Lancaster Avenue, Paoli, PA 19301-1792) on April 10, 2013, for renewal of a State Only, Synthetic Minor Operating Permit in Willistown Township, **Chester County**. The facility operates 9 boilers for hot water and heating, and 5 emergency generators for emergency power at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions, of regulated pollutants, above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 24.90 tons per year. The renewed permit includes monitoring, record-keeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**35-00026: Quadrant EPP** (900 North South Road, Scranton, PA 18504) on April 9, 2013, to operate an unsupported film and sheet plastic manufacturing facility in the City of Scranton, **Lackawanna County**. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-03116: Surtech Industries, Inc.** (915 Borom Road, York, PA 17404-1382) on April 10, 2013, for their metal costing, painting and polishing facility in York City, **York County**. The State-only permit was renewed.

**36-05100: Pennsy Supply, Inc.** (PO Box 4688, Lancaster, PA 17604-4688) on April 11, 2013 for the Lancaster batch asphalt plant in Manheim Township, **Lancaster County**. The State-only permit was renewed.

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

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

**26-00032: Uniontown Hospital** (500 W Berkeley St., Uniontown, PA 15401-5514) On April 9, 2013 the Department issued a renewal Synthetic Minor Operating Permit for the Uniontown Hospital in Uniontown, **Fayette County**. Equipment at this facility includes a 41.0 mmbtu/hr natural gas or No. 2 fuel oil-fired boiler, one 14.6 mmbtu/hr natural gas or No. 2 fuel oil-fired boiler, one 6.2 mmbtu/hr natural gas or No. 2 fuel oil-fired boiler, three small emergency electric generators, and two ethylene oxide sterilizers. The facility is subject to the applicable requirements of Pa. Code Title 25 Chapters 121 through 145. The final renewal Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

**65-00817: Lindy Paving, Inc. / New Kensington Plant** (201 Industrial Blvd. New Kensington, PA 15068) on April 16, 2013, the Department issued a State Only Operating Permit for the operation of a hot mix batch asphalt facility located in New Kensington City, **Westmoreland County**. The subject facility consists of one hot mix batch asphalt plants rated at 275 tons per hour. The batch plant is limited to 495,000 tons production in any consecutive 12-month period. The facility has the potential to emit: 99 tpy CO; 6.2 tpy NO<sub>x</sub>; 1.15 tpy SO<sub>x</sub>; 32.5 tpy VOC; 36.7 tpy PM and 6.7 tpy PM<sub>10</sub>. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

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

*Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636*

**42-00198: Elkhorn Gas Processing, LLC—Kane Plant** (6307 Route 6, Kane, PA 16735) on April 15, 2012, to renew the Natural Minor Permit to operate a natural gas processing facility at Wetmore Township, **McKean County**. The facility's emitting sources included, 1) Oil—Medium Heater (Hot Oil Heater), 2) 800 HP Compressor Engine (Inlet 1), 3) 800 HP Compressor Engine (Inlet 2), 4) 365 HP Compressor Engine (Refrigerant), 5) Equipment Leaks (including the exempted DeButanizer), 6) Glycol Regenerator (dehydrator), 7) Loading and storage tanks, and, 8) 600 HP new compressor. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is natural minor. The existing natural gas compressor engine, SI RICE are subject to 40 CFR Part 63 Subpart ZZZZ and the new compressor engine SI ICE is subject to 40 CFR Part 60 Subpart JJJJ. The VOC emission from the facility is greater than 10 tons per year. Thus, facility will submit emission statement annually. The actual emission based on 2012 are as follows: PM-10: 0.06 TPY (Tons per year), VOC: 23.22 TPY, NO<sub>x</sub>: 4.20 TPY, SO<sub>x</sub>: 0.05 TPY and, CO: 28.72 TPY.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**25-00648: NEPA Energy LP** (139 South Lake Street, North East, PA 16428) on April 11, 2013, issued an administrative amendment to the State Operating Permit to clarify the CO emission limits applicable to Source 007 (ABCO Boiler) during different (high versus low load) operational conditions for the facility located in North East Township, **Erie County**.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**36-05027: R. R. Donnelley & Sons Co.—East** (216 Greenfield Road, Lancaster, PA 17601-5885). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increase of 0.001 tpy PM<sub>10</sub> resulting from the installation of a new saddle stitch binding line and the replacement of binding line LGE-500 in Lancaster City, **Lancaster County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

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

**63-00014: Elrama Power Plant** (GenOn Power, LP, 121 Champion Way, Suite 200, Canonsburg, PA 15317) On April 8, 2013, DEP received a notification from GenOn identifying a de minimis emission increase of 0.12 ton NO<sub>x</sub>, 0.15 ton CO and 0.24 ton particulate matter per year resulting from the installation and temporary operation of a coal screening process. Process will include a feed hopper, single-deck vibratory screen, two conveyors, a diesel-fired engine rated at 110 hp, and a stacker at Elrama Power Plant located in Union Township, **Washington County**.

## 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 Permit Denied*

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

**Permit No. 56120103 and NPDES No. PA0268925. 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 77.5 acres. Receiving stream(s): UTS to/and Quemahoning Creek; Quemahoning Reservoir classified for the following use(s): cold water fishery; warm water fishery. The first downstream potable water supply intake from the point of discharge is the Quemahoning Reservoir. Application received January 25, 2012. Permit denied: April 4, 2013.

*Coal Permits Actions*

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

**03870701 and NPDES No. PA0214558. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Coal Refuse Disposal No. 2 in Plumcreek Township, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on May 6, 2009. Application received January 13, 2009. Permit issued April 9, 2013.

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

**Permit No. 56960110 and NPDES No. PA0234281. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 312.2 acres. Receiving stream(s): UTS to/and Blue Lick Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received November 28, 2011. Permit issued: April 9, 2013.

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

**33080105 and NPDES Permit No. PA0259547. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Renewal of an existing bituminous surface mine in Perry & Young Townships, **Jefferson County** affecting 435.4 acres. Receiving streams: Three unnamed tributaries to Mahoning Creek. Application received: December 4, 2012. Permit Issued: April 11, 2013.

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

**17820104 and NPDES No. PA0609218. Sky Haven Coal Company** (5510 State Park Road, Penfield, PA 15849). Modifications to NPDES permit treatment system located in Boggs and Bradford Townships, **Clearfield County**, affecting 479.5 acres. Receiving streams: Long Run and Unnamed Tributaries to Clearfield Creek classified for the following uses: Cold Water Fishes and Clearfield Creek classified for the following uses: Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 23, 2013. Permit issued April 9, 2013.

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

**54643034R5. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse disposal operation in Cass Township, **Schuylkill County** affecting 42.0

acres, receiving stream: West Branch Schuylkill River Watershed. Application received: May 20, 2010. Renewal issued: April 9, 2013.

**54643034GP104. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54643034 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River Watershed. Application received: March 12, 2013. Permit issued: April 9, 2013.

**54840201R5. Wheelabrator Culm Services, Inc.**, (4 Liberty Lane West, Hampton, NH 03842), renewal of an existing anthracite coal refuse reprocessing and disposal operation in Mahanoy Township and Shenandoah Borough, **Schuylkill County** affecting 208.8 acres, receiving stream: Shenandoah Creek. Application received: September 10, 2010. Renewal issued: April 9, 2013.

**54840201GP104. Wheelabrator Culm Services, Inc.**, (4 Liberty Lane West, Hampton, NH 03842), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54840201 in Mahanoy Township and Shenandoah Borough, **Schuylkill County**, receiving stream: Shenandoah Creek. Application received: March 24, 2011. Permit issued: April 9, 2013.

**54850202R5. B-D Mining Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine, refuse reprocessing, refuse disposal and preparation plant operation in Gilberton and Shenandoah Boroughs, West Mahanoy and Mahanoy Townships, **Schuylkill County** affecting 1590.0 acres, receiving stream: Mahanoy Creek Watershed. Application received: June 23, 2010. Renewal issued: April 9, 2013.

**54850202GP104. B-D Mining Company**, (10 Gilberton Road, Gilberton, PA 17934), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54850202 in Gilberton and Shenandoah Boroughs, West Mahanoy and Mahanoy Townships, **Schuylkill County**, receiving stream: Mahanoy Creek Watershed. Application received: January 7, 2013. Permit issued: April 9, 2013.

**49070101R. D. Molesevich & Sons Construction Co., Inc.**, (333 South Pine Street, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine operation in Mt. Carmel and Conyngham Townships, **Northumberland** and **Columbia Counties** affecting 816.0 acres, receiving stream: unnamed tributary to Mahanoy Creek. Application received: July 31, 2012. Renewal issued: April 12, 2013.

**49070101GP104. D. Molesevich & Sons Construction Co., Inc.**, (333 South Pine Street, Mt. Carmel, PA 17851), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49070101 in Mt. Carmel and Conyngham Townships, **Northumberland** and **Columbia Counties**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: July 31, 2012. Permit issued: April 12, 2013.

*Noncoal Permits Actions*

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

**56970301 and NPDES Permit No. PA0234362. Garrett Limestone Company, Inc.**, 451 Stoystown Road, Suite 104, Somerset, PA 15501, renewal of NPDES Permit, Black and Summit Townships, **Somerset County**. Receiving stream(s): Casselman River classified for the



following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received May 2, 2012. Permit issued April 3, 2013.

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

**26072802GP-104. Bullsken Stone & Lime, LLC** (117 Marcia Street, Latrobe, PA 15650). Renewal of General NPDES permit for stormwater discharge associated with mining activities on the existing small noncoal (Industrial Mineral) Permit No. 26072802, located in Bullsken Township, **Fayette County** affecting 5.0 acres. Receiving stream: unnamed tributary to Latta Run. Renewal application received: November 21, 2012. GP-104 renewal permit issued: April 11, 2013.

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

**25970306-GP-104. Raymond D. Showman & Sons, Inc.** (12851 Sharp Road, Edinboro, PA 16412) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25970306 in LeBoeuf Township, **Erie County**. Application received: August 25, 2011. Permit Issued: April 11, 2013.

**37960304-GP-104. ESSROC Cement Corp.** (P. O. Box 779, Bessemer, PA 16112) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37960304 in North Beaver Township and Bessemer Borough, **Lawrence County**. Application received: March 11, 2013. Permit Issued: April 11, 2013.

#### 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*

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

**38134110. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Vincent Vizzi dwelling in South Annville Township, **Lebanon County** with an expiration date of July 30, 2013. Permit issued: April 12, 2013.

**64134001. Northeast Blasting**, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for the Marita & Walter Zimmerman House Foundation in Damascus Township, **Wayne County** with an expiration date of April 5, 2014. Permit issued: April 12, 2013.

**66134111. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for BGI Capputci Gathering Line in Windham Township, **Wyoming County** with an expiration date of April 30, 2014. Permit issued: April 12, 2013.

**15134102. Brubacher Excavating, Inc.**, (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Sierra Drive Wet Well in Uwchlan Township, **Chester County** with an expiration date of September 30, 2013. Permit issue: April 15, 2013.

**45134103. Silver Valley Drilling & Blasting, Inc.**, (RR 4 Box 4196, Saylorburg, PA 18353), construction

blasting at Franklin Hill Church utility and building site in Smithfield Township, **Monroe County** with an expiration date of May 15, 2014. Permit issued: April 15, 2013.

**58124122. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Leslie Natural Gas Pipeline in Harford Township, **Susquehanna County** with an expiration date of April 9, 2014. April 15, 2013.

**58124123. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Tingley 16 Inch Pipeline in Harford Township, **Susquehanna County** with an expiration date of April 9, 2014. April 15, 2013.

**58124124. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Wilmarth 16 & 8 Inch Pipeline in Harford Township, **Susquehanna County** with an expiration date of April 9, 2014. April 15, 2013.

### 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 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**

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E22-572: Royalton Borough Authority**, 101 Northumberland Street, Royalton, Pennsylvania 17057, in Royalton Borough, **Dauphin County**, ACOE Baltimore District

To construct and maintain a 300.0-square foot concrete block building and associated access drive in the floodplain of Swatara Creek (WWF, MF) for the purpose of providing increased water pressures to residences in the Upper Ward of the Borough. The project is located immediately west of the intersection of Grubb Street and Edgewater Drive (Middletown, PA Quadrangle; N: 12.0 inches, W: 14.4 inches; Latitude: 40°11'29", Longitude: -76°43'41") in Royalton Borough, Dauphin County.

**E38-177: Pennsylvania Game Commission**, 2001 Elmerton Avenue, Harrisburg, Pennsylvania 17110, in Bethel Township, **Dauphin County**, ACOE Baltimore District

To construct and maintain a 14.0-foot wide, single span bridge having a normal span of 73.0 feet and an underclearance of 8.0 feet across Bear Hole Run (CWF, MF) for the purpose of providing access to State Game Lands. The project is located along Swope Valley Road approximately 1.0 mile south of the intersection of Route 443 (Pine Grove, PA Quadrangle; Latitude: 40°30'53.8", Longitude: -76°28'12.6") in Bethel Township, Lebanon County.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E17-479. Osceola Mills DPP VII, LLC**, 9010 Overlook Boulevard, Brentwood, TN 37027. Commercial Retail Building Construction in Decatur Township, **Clearfield County**, ACOE Baltimore District (Houtzdale, PA Quadrangle Latitude: 40° 51' 34"; Longitude: -78° 15' 45").

The applicant proposes to construct a commercial retail building with associated parking, site utilities, and stormwater infrastructure all totaling 9,100 square feet. This project will permanently impact 0.57 acre of wetland through site construction activities. Mitigation for wetland impacts will be achieved through construction of 0.61 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-1677. Joseph P. Lisowski**, 66 McMichael Road, Carnegie, PA 15106, Collier Township, **Allegheny County** ACOE Pittsburgh District

Applicant has been given consent to operate and maintain the existing 40 ft. x 60 ft. pond that consisted of widening the channel of an Unnamed Tributary to Robin-

son Run (WWF) located on the east side of McMichael Road, approximately 4,400.0 feet south from the intersection of McMichael Road and Baldwin Road (Oakdale, PA Quadrangle N: 6.3 inches; W: 2.2 inches; Latitude: 40° 24' 35"; Longitude: 80° 08' 27") in Collier Township, Allegheny County.

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

**E24-260, Fox Township**, P. O. Box 184, Irishtown Road, Kersey, PA 15846 in Fox Township, **Elk County**, ACOE Pittsburgh District (Kersey, PA Quadrangle N: 41°, 21', 53.8"; W: 78°, 35', 29.5").

to conduct the following activities associated with expansion of the existing Fox Township Community Park northeast of the intersection of SR 948 and SR 2007:

1. Install a 50-foot long, 77-inch wide by 52-inch high elliptical culvert in Beaver Run (CWF) and fill a total of 0.34 acre of adjacent wetlands (PSS) for a road crossing.

2. Construct a 6-foot wide pile supported elevated timber boardwalks across 80 feet of wetland adjacent to Beaver Run impacting approximately 35 square feet of wetland for installation of pile supports.

3. Construct a 6-foot wide pile supported elevated timber boardwalks across 814 feet of wetland adjacent to Beaver Run impacting approximately 295 square feet of wetland for installation of pile supports.

4. Temporarily impact to a total of approximately 5364 square feet of wetland associated with construction access utilizing portable wetland mats for the construction of the boardwalks and approximately 600 square feet for the installation of temporary sandbag cofferdams and bypass pumping for the installation of the roadway culvert.

**E37-189, New Castle Realty, LLC**, 930 Cass Street, New Castle, PA 16101 in Shenango Township, **Lawrence County**, ACOE Pittsburgh District

to operate and maintain a previously installed 38-inch culvert crossing of an unnamed tributary to Big Run; to remove a previously installed 36 inch culvert then install, operate, and maintain a 60 inch diameter culvert crossing of an unnamed tributary to Big Run; and to utilize a combination of stream bank stabilization and riparian plantings to mitigate for previous impacts to unnamed tributaries to Big Run totaling approximately 1400 feet resulting from the construction of an access road extending south from State Route 422 along a former railroad alignment (New Castle South, PA Quadrangle N: 40°, 59', 7"; W: 80°, 18', 59").

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5729-052: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY, 14845, Forks Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain the Burkhart Well Line, which consists of one 6-inch diameter natural gas pipeline, with the following impacts:

1. 2,888 square feet of Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary timber mat access road crossing (Overton, PA Quadrangle, Latitude: N41°32'12.76", Longitude: W76°30'47.47");

2. 122.0 linear feet of a UNT to Yellow Run (EV) and 107 square feet of Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a

temporary timber mat access road crossing (Overton, PA Quadrangle, Latitude: N41°32'11.08", Longitude: W76°30'45.61"); and

3. 193.0 linear feet of a UNT to Yellow Run (EV) and 1,992 square feet of Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary timber mat access road crossing (Overton, PA Quadrangle, Latitude: N41°32'09.15", Longitude: W76°30'45.08").

The project will result in 315.0 linear feet of temporary EV stream impacts and 4,987 square feet (0.11 acre) of permanent EV PFO wetland impacts, all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

#### ENVIRONMENTAL ASSESSMENTS

*Harrisburg Central Office: Environmental Program Manager, P. O. Box 8461, Harrisburg, PA 17105.*

**EA1710-001. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Harrisburg Central Office, P. O. Box 8464, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Jordan Township, **Clearfield County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 670 linear feet of dangerous highwall. The project will include the backfilling of 0.12 acre of open waterbodies and 0.39 acre of PEM wetland that have developed within the open surface mine pit. (Irvona Quadrangle N: 17 inch, W: 8 inches).

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105*

**D30-055A. Consol PA Coal Company, LLC**, P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323. Permit issued to modify, operate, and maintain Bailey Mine Area No. 3 Slurry Dam and four (4) associated saddle dams across a tributary to Enlow Fork (WWF) for the purpose of impounding mine waste slurry. The proposed work will raise the existing embankment by approximately seven feet to provide additional slurry storage.

(Wind Ridge, PA Quadrangle, Latitude: 39.959N; Longitude: -80.382W) Richhill Township, **Greene County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form

and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX13-115-0038  
Applicant Name PVR Marcellus Gas Gathering, LLC  
Contact Person Kevin Roberts  
Address 101 West Third Street  
City, State, Zip Williamsport, PA 17701  
County Susquehanna County  
Township(s) Auburn and Springville Townships  
Receiving Stream(s) and Classification(s) UNT to White Creek (CWF/MF)

ESCGP-1 # ESX13-117-0011  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Sullivan Township  
Receiving Stream(s) and Classification(s) Corey Creek (CWF/MF);  
Secondary: Tioga River (CWF/MF)

ESCGP-1 # ESX13-117-0012  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Sullivan Township  
Receiving Stream(s) and Classification(s) Tributaries to Elk Run (TSF/MF);  
Secondary: Tioga River (CWF/MF)

ESCGP-1 # ESX13-115-0041  
Applicant Name PVR NEPA Gas Gathering, LLC  
Contact Person Nicholas Bryan  
Address 101 West Third Street  
City, State, Zip Williamsport, PA 17701  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) Stevens Creek (CWF/MF)

ESCGP-1 # ESX12-115-0058 (01)  
Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) Thomas Creek (CWF/MF), UNT to Meshoppen Creek (CWF), Meshoppen Creek (CWF/MF)

ESCGP-1 # ESX13-115-0036  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) Jackson Township  
 Receiving Stream(s) and Classification(s) Drinker Creek (CWF/MF)

ESCGP-1 # ESX13-015-0017 (01)  
 Applicant Name Angelina Gathering Company, LLC  
 Contact Person Danny Spaulding  
 Address 2350 N. Sam Houston Pkwy E., Suite 125  
 City, State, Zip Houston, TX 77032  
 County Bradford County  
 Township(s) Stevens Township

Receiving Stream(s) and Classification(s) Rockwell Creek, Mill Creek, Ross Creek and a UNT to Wyalusing Creek (All WWF/MF);  
 Secondary: Wyalusing Creek (WWF/MF)

ESCGP-1 # ESX13-115-0037  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 2000 Commerce Drive  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna County  
 Township(s) Forest Lake Township  
 Receiving Stream(s) and Classification(s) 2 UNT to Forest Lake (CWF/MF);  
 Secondary: East Branch of Wyalusing Creek (CWF/MF)  
*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.*

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
04138002	Sunoco Pipeline, LP 525 Fritztown Road Sinking Springs, PA 19608	Beaver	Brighton Township	Twomile Run (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX13-121-0001—Allam to Rainbow Pipeline Project  
 Applicant Halcon Field Services LLC  
 Contact Rich DiMichele  
 Address 1000 Louisiana Street, Suite 6700  
 City Houston State TX Zip Code 77002  
 County Venango Township(s) Frenchcreek Twp and Polk Borough  
 Receiving Stream(s) and Classification(s) Little Sandy Creek

ESCGP-1 #ESX13-047-0001—Clermont Pad NF-A  
 Applicant Seneca Resources Corporation  
 Contact Michael Clinger  
 Address 51 Zents Blvd  
 City Brookville State PA Zip Code 15825  
 County Elk Township(s) Jones(s)  
 Receiving Stream(s) and Classification(s) Naval Hollow (EV/HQ)

ESCGP-1 #ESX13-019-0021—Godfrey B Gathering Pipeline  
 Applicant Mountain Gathering, LLC  
 Contact Dewey Chalos  
 Address 810 Houston Street  
 City Fort Worth State TX Zip Code 76102  
 County Butler Township(s) Penn(s)  
 Receiving Stream(s) and Classification(s) Thorn Creek—CWF, Connoquenessing Creek—WWF

ESCGP-1 #ESX13-085-0008—Phillips to DEO Pipeline Project  
 Applicant Halcon Field Services, LLC  
 Contact Rich DiMichele  
 Address 1000 Louisiana Street, Suite 6700  
 City Houston State TX Zip Code 77002-6003  
 County Mercer Township(s) West Salem(s)  
 Receiving Stream(s) and Classification(s) Booth Run—WWF, Pymatuning Creek, Shenango River

ESCGP-1 #ESG13-053-0004—NWP A Warrant 2993 Pipeline Project  
 Applicant SWEPI LP  
 Contact H. James Sewell  
 Address 2100 Georgetown Drive, Suite 400  
 City Sewickley State PA Zip Code 15143  
 County Forest Township(s) Howe(s)  
 Receiving Stream(s) and Classification(s) Rocky Run—CWF, MF, West Branch—HQ, CWF, Tionesta Creek—CWF, MF

ESCGP-1 #ESX13-019-0020—Welter Freshwater Impoundment  
 Applicant XTO Energy Inc  
 Contact Melissa Breitenbach  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Donegal(s)  
 Receiving Stream(s) and Classification(s) Bonnie Brook WWF

ESCGP-1 #ESX12-047-0053—Church Run Pad A Pipeline  
 Applicant Seneca Resources Corporation  
 Contact Michael Clinger  
 Address 51 Zents Boulevard  
 City Brookville State PA Zip Code 15825  
 County Elk Township(s) Millstone(s)  
 Receiving Stream(s) and Classification(s)  
 UNT to Wyncoop Run (HQ-CWF/HQ-CWF)  
 Jakes Run (HQ-CWF/HQ-CWF)  
 Wyncoop Run (HQ-CWF/HQ-CWF)  
 UNT to Wyncoop Run (HQ-CWF/HQ-CWF)  
 UNT to East Branch Millstone Creek (HQ-CWF/HQ-CWF)

ESCGP-1 #ESX11-047-0030A—Owls Nest Pad F Major Modification  
 Applicant Seneca Resources Corporation  
 Contact Michael C. Clinger  
 Address 51 Zents Boulevard  
 City Brookville State PA Zip Code 15825  
 County Elk Township(s) Highland(s)  
 Receiving Stream(s) and Classification(s) UNT Red Lick Run (HQ-CWF)

ESCGP-1 #ESX13-047-0002—ARG 2013 Development (19 Wells)  
 Applicant ARG Resources  
 Contact Jim Bolinger  
 Address 285 Custom Lumber Lane  
 City Kane State PA Zip Code 16735  
 County Elk Township(s) Highland(s)  
 Receiving Stream(s) and Classification(s)  
 UNT to Coon Run—Ohio River Basin in Pennsylvania—Allegheny River Coon Run—Ohio River Basin in Pennsylvania—Allegheny River East Branch Spring Creek—Ohio River Basin in Pennsylvania Wolf Run—Ohio River Basin in Pennsylvania—Allegheny River

ESCGP-1 #ESX12-053-0036—Muzette B  
 Applicant Seneca Resources Corporation  
 Contact Michael Clinger

Address 51 Zents Boulevard  
 City Brookville State PA Zip Code 15825  
 County Forest Township(s) Kingsley(s)  
 Receiving Stream(s) and Classification(s) UNT to Ellsworth Run (CWF/CWF)

ESCGP-1 #ESG13-019-0019—Renick 3468  
 Applicant SWEPI LP  
 Contact H. James Sewell  
 Address 2100 Georgetown Drive, Suite 400  
 City Sewickley State PA Zip Code 15143  
 County Butler Township(s) Center(s)  
 Receiving Stream(s) and Classification(s) UNT to Stony Run

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>ESCGP -1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
1613801	Columbia Gas 4000 Energy Drive Bridgeville PA 15017	Clarion	Perry Township	Unt Black Fox Run WWF

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA 1/15/13*

ESCGP-1 No: ESX13-125-0004  
 Applicant Name: Rice Drilling B LLC  
 Contact Person Ms Tonya Z Winkler  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township: Somerset  
 Receiving Stream (s) And Classifications: UNT S-01 to South Branch of Pigeon Creek; Other

1/28/13  
 ESCGP-1 No.: ESX13-059-0011  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Ms Tara R Meek  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Greene Township(s): Center  
 Receiving Stream(s) and Classifications: Lightner Run (HQ-WWF), West Run (HQ-WWF) Browns Creek (HQ-WWF); HQ; Other

1/25/13  
 ESCGP-1 No.: ESX13-129-0002  
 Applicant Name: WPX Energy Marcellus Gathering LLC  
 Contact Person: Mr David Freudenrich  
 Address: 6000 Town Center Boulevard Suite 300  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Westmoreland Township(s): Donegal  
 Receiving Stream(s) and Classifications: (2) UNTs to Fourmile Run & Fourmile Run; Other

3/1/13  
 ESCGP-1 No.: ESX13-059-0014  
 Applicant Name: Vantage Energy Appalachia LLC  
 Contact Person: Mr Nick Mongelluzzo  
 Address: 226 Elm Drive Suite 102  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Greene Township(s): Franklin  
 Receiving Stream(s) and Classifications: Grimes Run / South Fork Tenmile Creek; Other Warm Water Fishes (WWF)

1/8/13  
 ESCGP-1 No.: ESX13-059-0002  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Ms Sarah Baughman  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 COUNTY Greene Township(s): Gray and Richhill  
 Receiving Stream(s) and Classifications: UNT to Grays Fork and UNT to Enlow Fork; HQ; Other

1/11/13  
 ESCGP-1 No.: ESX13-059-0003  
 Applicant Name: EQT Production  
 Contact Person: Mr Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township(s): Washington  
 Receiving Stream(s) and Classifications: 2 UNTs to Craig Run—WWF; Craig Run—WWF; Tenmile Creek Watershed; Other

1/23/13  
 ESCGP-1 No.: ESX13-125-0008  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Mr Glenn Truzzi  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code 15317  
 County: Washington Township(s): Smith  
 Receiving Stream(s) and Classifications: UNTs to Burgetts Fork (WWF) / Raccoon Creek Watershed; Other

12/21/12  
 ESCGP-1 No.: ESX12-125-0140  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Ms Laura M Rusmiser  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Donegal  
 Receiving Stream(s) and Classifications: UNTs to Dutch Fork (HQ-WWF) / Wheeling-Buffalo Creeks Watershed; HQ

11/29/12  
 ESCGP-1 No.: ESX12-063-0015  
 Applicant Name: XTO Energy Inc  
 Contact Person: Melissa Breitenbach

Address: 502 Keystone Drive  
 City: Warrendale State: PA Zip Code: 15086  
 County: Indiana Township(s): Brush Valley and Center  
 Receiving Stream(s) and Classifications: Laurel Run and  
 Blacklick Creek (CWF); Other

1/25/13  
 ESCGP-1 NO.: ESX13-059-0007  
 Applicant Name: EQT Gathering LLC  
 CONTACT PERSON: Ms Megan D Stahl  
 ADDRESS: 625 Liberty Avenue  
 City: Pittsburgh State: PA Zip Code: 15222  
 County: Greene Township(s): Morgan  
 Receiving Stream(s) and Classifications: UNT to Castile  
 Run; Other (WWF)

1/25/13  
 ESCGP-1 NO.: ESX13-125-0012  
 Applicant Name: Noble Energy Inc  
 CONTACT: Ms Dee Swiger  
 ADDRESS: 333 Technology Drive Suite 116  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): West Finley  
 Receiving Stream(s) and Classifications: Robinson Fork /  
 Upper Ohio-Wheeling Watershed; Other

1/24/13  
 ESCGP-1 NO.: ESX13-125-0009  
 Applicant Name: CNX Gas Company LLC  
 CONTACT: Ms Tara Meek  
 ADDRESS: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Washington Township(s): Morris  
 Receiving Stream(s) and Classifications: UNT to Tenmile  
 Creek (TSF), Tenmile Creek (TSF), UNT to Crafts  
 Creek (TSF), and Crafts Creek (TSF); Other

1/28/13  
 ESCGP-1 NO.: ESX13-005-0007  
 Applicant Name: PennEnergy Resources LLC  
 CONTACT: Mr Greg Muse  
 ADDRESS: 1000 Commerce Drive Park Place One Suite  
 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Armstrong Township(s): West Franklin  
 Receiving Stream(s) and Classifications: UNT to Buffalo  
 Creek; HQ; Other

1/28/13  
 ESCGP-1 NO.: ESX13-125-0019  
 Applicant Name: Range Resources Appalachia LLC  
 CONTACT: Ms Laura M Rusmisl  
 ADDRESS: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Buffalo and East Finley  
 Receiving Stream(s) and Classifications: UNT to Buffalo  
 Creek (HQ-WWF), and Buffalo Creek (HQ-WWF)/  
 Wheeling-Buffalo Creek Watershed: HQ

1/28/13  
 ESCGP-1 NO.: ESX13-125-0018  
 Applicant Name: MarkWest Liberty Midstream & Re-  
 sources LLC  
 CONTACT: Mr Rick Lowry  
 ADDRESS: 601 Technology Drive Suite 300  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Hanover  
 Receiving Stream(s) and Classifications: UNTs to Ward  
 Run (WWF), Ward Run (WWF), UNTs to Kings Creek  
 (CWF), and Kings Creek (CWF); Other

12/12/12  
 ESCGP-1 NO.: ESX12-051-0011  
 Applicant Name: Laurel Mountain Midstream Operating  
 LLC  
 CONTACT: Ms Jayme Stotka  
 ADDRESS: 1605 Coraopolis Heights Road  
 City: Moon Township State: PA Zip Code: 15108  
 County: Fayette Township(s): Redstone and Luzerne  
 Receiving Stream(s) and Classifications: UNTs to Dunlap  
 Creek (WWF), Dunlap Creek (WWF), UNTs to  
 Fourmile Run (WWF) and Fourmile Run (WWF); Other

1/28/13  
 ESCGP-1 NO.: ESX11-129-0031 MAJOR REVISION  
 Applicant Name: Chevron Appalachia LLC  
 CONTACT: Mr Alexander Genovese  
 ADDRESS: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Westmoreland Township(s): Sewickley  
 Receiving Stream(s) and Classifications: UNT to the  
 Youghiogheny River (WWF)/Monongahela River; Other

12/20/12  
 ESCGP-1 NO.: ESX12-125-0139  
 Applicant Name: Range Resources Appalachia LLC  
 CONTACT: Ms Laura M Rusmisl  
 ADDRESS: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Smith  
 Receiving Stream(s) and Classifications: UNTs to Rac-  
 coon Creek (WWF) and Raccoon Creek (WWF)/Raccoon  
 Creek Watershed; Other

#### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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 which 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 pro bono representation. Call the Secretary to the Board at (717) 787-3483.

*Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335*

Well Permit #: 015-22251-00-00  
 Well Farm Name Iceman Bra 5H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Mr. Eric Haskins  
 Address: 101 N. Main Street, Athens, PA 18810-1707  
 County: Bradford  
 Municipality: Wilmot Township  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Cooley, Unnamed tributary to Panther Lick Creek which is tributary to Sugar Run Creek.

[Pa.B. Doc. No. 13-772. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.eLibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Extension of Public Comment Period*

**DEP ID:** 385-2208-001. **Title:** Sewage Facilities Planning Module Review for Onlot Sewage Systems Proposed in High Quality and Exceptional Value Watersheds. **Description:** The Department published notice of this guidance document for public comment at 43 Pa.B. 1239 (March 2, 2013). By this notice the comment period is being extended until June 3, 2013.

**Written Comments:** Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the originator's name

and address. Written comments should be submitted to Thomas Starosta, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Division of Planning and Permits, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-4317, [tstarosta@pa.gov](mailto:tstarosta@pa.gov).

**Contact:** Thomas Starosta, (717) 787-4317 or [tstarosta@pa.gov](mailto:tstarosta@pa.gov).

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-773. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Bid Opportunity

**OOGM 12-6, Cleaning Out and Plugging Four Abandoned Oil and Gas Wells (Mr. and Mrs. Antonio Orlando, Mr. and Mrs. Bruce A. Zalewski, Jon J. Fitch and Edward S. Rudolph Properties), Brokenstraw and Sheffield Townships, Warren County.** The principal items of work and approximate quantities are to clean out and plug four abandoned oil and gas wells, estimated to be 800 to 1,400 feet in depth, to Department specifications; to prepare and restore well sites; and to mobilize and demobilize plugging equipment. This project issues on April 26, 2013, and bids will be opened on June 4, 2013, 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 May 9, 2013, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or [joelmiller@pa.gov](mailto:joelmiller@pa.gov) for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-774. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Bid Opportunity

**OSM 18(6672)201.1 (Re-Bid), Abandoned Mine Reclamation Project, Huling Branch (Wishbone Playground), Leidy and Noyes Townships, Clinton County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; storage and redistribution of clearing and grubbing material; grading 794,186 cubic yards; coal removal 101,704 tons; subsurface drain 2,935 linear feet; rock underdrains 8,720 linear feet; coal removal 34,904 tons; coal refuse removal 17,533 tons; AASHTO No. 1 aggregate for construction of limestone beds 31,348 tons; alkaline addition (limestone screenings) 369,900 tons; price adjustment for diesel fuel cost fluctuations; and seeding 101.5 acres. This bid issues on April 26, 2013, and bids will be opened on May 16, 2013, at 2 p.m. Bid documents cost \$15 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and

Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-775. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Water Resources Advisory Committee Meeting Cancellation

The May 8, 2013, meeting of the Water Resources Advisory Committee (Committee) is cancelled.

Questions concerning the next scheduled meeting of the Committee can be directed to Duke Adams at (717) 783-4693, ranadams@pa.gov. The agenda and meeting materials for the August 14, 2013, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-4693 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-776. Filed for public inspection April 26, 2013, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Human Immunodeficiency Virus (HIV) Planning Group Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold public meetings on Wednesday, May 15 and Thursday, May 16, 2013, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-777. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Inglis House  
2600 Belmont Avenue  
Philadelphia, PA 19131  
FAC ID 090202

Rolling Hills Manor  
17350 Old Turnpike Road  
Millmont, PA 17845  
FAC ID 320202

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-778. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Nursing Home Patient Safety Trust Fund Surcharge for Fiscal Year 2012-2013 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act

Because of an inadvertent error in the notice published at 43 Pa.B. 1934 (April 6, 2013), the Department of Health (Department) is reprinting the document in its entirety to ensure accuracy of the information contained in this document.

Sections 401—411 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P. S. §§ 1303.401—1303.411) require nursing homes to electronically report health care-associated infection (HAI)



data to the Department and the Patient Safety Authority (Authority). Mandatory reporting of nursing home HAIs was implemented in June 2009.

Section 409 of the MCARE Act states that every fiscal year, beginning July 1, 2008, each nursing home shall pay the Department a surcharge on its licensing fee to provide sufficient revenues for the Authority to perform its responsibilities related to the MCARE Act. The base amount of \$1 million for Fiscal Year (FY) 2008-2009 has the potential to be increased no more than the Consumer Price Index in each succeeding fiscal year.

The FY 2010-2011 surcharge was \$800,000. The Authority has recommended that the FY 2012-2013 surcharge assessment total \$900,000.

To assess the surcharge in an equitable manner, the number of licensed nursing home beds as of December 31, 2012, was totaled and that amount was divided into \$900,000. The total number of licensed beds is 85,946. This equates to a surcharge of \$10.47 per bed.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@pa.gov](mailto:paexcept@pa.gov), and request the 2012-2013 MCARE surcharge assessment list for nursing care facilities.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a nursing care facility has questions concerning this notice, a representative from that facility should contact Susan Williamson, Director, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 787-1816.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape or Braille) should contact Susan Williamson at the address or telephone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-779. Filed for public inspection April 26, 2013, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Golden Goose Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Golden Goose.

2. *Price:* The price of a Pennsylvania Golden Goose instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Golden Goose instant lottery game ticket will contain one play area. The play area will contain one "WINNING NUMBER" and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and an Egg (EGG) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100, \$200 and \$5,000. A player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Golden Goose instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Egg (EGG) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Egg (EGG) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the "prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in one of the "prize" areas, and a prize symbol \$10<sup>00</sup> (TEN DOL) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Egg (EGG) symbol, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in two of the “prize” areas and a prize symbol \$5.<sup>00</sup> (FIV DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Egg (EGG) symbol, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in three of the “prize” areas and a prize symbol \$20.<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Egg (EGG) symbol, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Egg (EGG) symbol, and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in two of the “prize” areas and a prize symbol \$2.<sup>00</sup> (TWO DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Egg (EGG) symbol, and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in three of the “prize” areas and a prize symbol \$4.<sup>00</sup> (FOR DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of FREE (TICKET) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Golden Goose instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under That Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
FREE	FREE \$1 TICKET	9.52
\$1 × 2	\$2	42.86
\$2	\$2	37.50
\$1 × 3	\$3	100
\$2 + \$1	\$3	100
\$3	\$3	100
(\$2 × 2) + \$1	\$5	136.36
\$5	\$5	130.43
EGG w/ (\$2 × 3) + \$4	\$10	1,500
EGG w/ (\$3 × 2) + (\$2 × 2)	\$10	1,000
\$5 × 2	\$10	428.57
(\$4 × 2) + \$2	\$10	375.00
\$10	\$10	1,500
EGG w/ \$5 × 4	\$20	428.57
\$10 × 2	\$20	3,000
(\$5 × 2) + \$10	\$20	3,000
\$20	\$20	3,000
EGG w/ (\$10 × 3) + \$20	\$50	1,200
		1,260,000
		280,000
		320,000
		120,000
		120,000
		120,000
		88,000
		92,000
		8,000
		12,000
		28,000
		32,000
		8,000
		28,000
		4,000
		4,000
		4,000
		10,000

When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under That Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
EGG w/ (\$20 × 2) + (\$5 × 2)	\$50	6,000	2,000
(\$20 × 2) + \$10	\$50	6,000	2,000
\$50	\$50	6,000	2,000
EGG w/ (\$20 × 2) + \$50 + \$10	\$100	6,000	2,000
\$50 × 2	\$100	24,000	500
\$100	\$100	24,000	500
EGG w/ \$50 × 4	\$200	20,000	600
\$200	\$200	30,000	400
\$5,000	\$5,000	300,000	40

Reveal an "EGG" (EGG) symbol, win all 4 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Golden Goose instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Golden Goose, prize money from winning Pennsylvania Golden Goose instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Golden Goose instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Golden Goose or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-780. Filed for public inspection April 26, 2013, 9:00 a.m.]

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length—each).
5. ( ) 102" wide maxi-cube.

Route Identification	Route Description	Length Miles
SR 216	From SR 0616 to I83	4.3

The following municipalities approved the access route within their jurisdictions.

<i>Springfield Township</i>		
Route Identification	Route Description	Length Miles
SR 216	From Segment 0360 to I83	3.8

<i>Shrewsbury Township</i>		
Route Identification	Route Description	Length Miles
SR 216	Segment 0360	.5

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
Secretary

[Pa.B. Doc. No. 13-781. Filed for public inspection April 26, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on April 8, 2013, the following access route for use by the types of truck combinations as indicated:

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on April 8, 2013, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.

- 3. (X) 102" wide 48' long trailer.
- 4. (X) 102" wide twin trailers (28 1/2' maximum length—each).
- 5. ( ) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 616	From Segment 0200/0000 SR 3046	3.4

The following municipality approved the access routes within their jurisdiction.

*North Codorus Township*

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 616	From Segment 0200/0000 to SR 3046	3.4

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-782. Filed for public inspection April 26, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Rosebud Mining Company v. DEP; EHB Doc. No. 2013-042-R

Rosebud Mining Company has appealed the issuance by the Department of Environmental Protection of a renewal NPDES permit to Rosebud Mining Company for the Solar No. 7 Mine Operation in Quemahoning Township, Somerset County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 13-783. Filed for public inspection April 26, 2013, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, May 1, 2013—Data Systems Committee at 10 a.m., Education Committee at 1 p.m. and Executive Committee at 3 p.m.; Thursday, May 2, 2013—Council Meeting at 10 a.m.

The meetings will be held at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation 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. 13-784. Filed for public inspection April 26, 2013, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 4, 2013, and announced the following:

*Action Taken—Regulation Disapproved:*

State Board of Chiropractic #16A-4320: Licensure by Reciprocity (amends 49 Pa. Code § 5.13)

### Disapproval Order

Public Meeting Held  
April 4, 2013

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Order Issued April 15, 2013:  
State Board of Chiropractic—  
Licensure by Reciprocity;  
Regulation No. 16A-4320 (#2907)*

On September 6, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Chiropractic (Board). This rulemaking amends 49 Pa. Code § 5.13. The proposed regulation was published in the September 17, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 21, 2013.

According to the Board, the purpose of the rulemaking is to simplify the process for licensure by reciprocity, make clear what the standards are and permit more chiropractors to qualify for licensure.

Section 504 of the Chiropractic Practice Act (Act) (63 P. S. § 625.504) is entitled "Reciprocity." It allows the Board to grant licenses without further examination to individuals from other states and provinces of Canada if all of the following conditions are met:

- The standards for licensing in such states or provinces are substantially the same as those provided in the Act.
- Similar privileges are accorded persons licensed in this Commonwealth.
- The applicants hold valid licenses.
- The applicable rules and regulations prescribed by the Board are complied with.

The Board has eliminated language from § 5.13(a)(4) of the regulation that conveyed the requirement of section 504(2) of the Act (63 P. S. § 625.504(2)). The language being eliminated from the final-form regulation stated, "whose standards for licensure by examination are substantially equivalent to those required by the act and this chapter for licensure." We note that the following language was also eliminated from § 5.13(a)(4) during the

proposed rulemaking stage, "accepts Pennsylvania licensees for licensure by reciprocity." These deletions nullify the "Similar privileges are accorded persons licensed in this Commonwealth" standard required by the Act. The deletions do not simplify the process of licensure by reciprocity, rather, they eliminate it completely from the regulation. This makes the regulation inconsistent with the Act and with the intent of the General Assembly.

We have determined that this regulation is not consistent with the intention of the General Assembly in the enactment of the statute upon which the regulation is based. Section 5.2(a) of the Regulatory Review Act (71 P. S. § 745.5b(a)). Therefore, we find promulgation of this regulation is not in the public interest.

*By Order of the Commission:*

The regulation #16A-4320 (IRRC #2907) from the State Board of Chiropractic was disapproved on April 4, 2013.

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 13-785. Filed for public inspection April 26, 2013, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
57-283	Pennsylvania Public Utility Commission Marketing and Sales Practices for the Retail Residential Energy Market	4/11/13	5/16/13

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 13-786. Filed for public inspection April 26, 2013, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Insurance Coverages or Risks Eligible for Export  
by Insurance Commissioner**

Under section 1604(2)(ii) of The Insurance Company Law of 1921 (40 P. S. § 991.1604(2)(ii)), the Insurance Commissioner declares the following insurance coverages to be generally unavailable in the authorized market at the present, and thus exportable, and hereby adopts the following export list. Accordingly, for those insurance coverages which are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

**Export List**

- Amusements
  - Amusement Parks and their Devices
  - Animal Rides
  - Recreational and Sporting Events
  - Special Short Term Events
  - Theatrical Presentations
- Aviation
  - Fixed Base Operations

- Bridge and Tunnel Contractors (liability only)
- Chemical Spray and/or Drift
- Crane and Rigging Contractors (liability and physical damage only)
- Crop Dusters (aircraft liability and aircraft hull coverage only)
- Day Care Centers, including Sexual Abuse Coverage
- Demolition Contractors Liability
- Firework Sales/Manufacturing
- Flood Insurance not provided under Federal Flood Insurance
- Fuel and Explosive Haulers (excess auto liability and auto physical damage only)
- Guides and Outfitters (liability only)
- Hazardous Waste Haulers (excess auto liability and auto physical damage only)
- Hazardous Waste Storage and Disposal (liability only)
- Hunting Clubs
- Kidnapping, Ransom and Extortion Insurance
- Liquor Liability (monoline)
- Medical Malpractice Liability with or without related General Liability Coverages
- Miscellaneous Errors and Omissions or Professional Liability except architects and engineers, medical malpractice, lawyers, personnel agencies, travel agents, real estate brokers and insurance agents and brokers

Nightclubs  
 Nursing Home Liability with or without other Affiliated Elder Care Services  
 Paint and Coating Manufacturers—Liability  
 Pest Control (Exterminators) Liability  
 Pollution Liability and/or Environmental Impairment Coverage  
 Products Liability (monoline) for the Manufacturing of:  
   Aircraft and Component Parts  
   Automotive and Component Parts  
   Farm and Industrial Equipment  
   Firearms  
   Medical Equipment  
   Petrochemicals  
   Pharmaceuticals  
 Products Recall (monoline) for the Manufacturing of:  
   Aircraft and Component Parts  
   Automotive and Component Parts  
   Farm and Industrial Equipment  
   Firearms  
   Medical Equipment  
   Petrochemicals  
   Pharmaceuticals  
 Railroad, including Consultants, Contractors and Suppliers  
 Real-Estate Environmental Impairment Coverage  
 Security/Detective/Patrol Agencies  
 Tattoo Parlors  
 Taxicab Liability  
 Title Insurance Agents Errors and Omissions  
 Vacant Properties

This list becomes effective on the date of its publication in the *Pennsylvania Bulletin*, supersedes the list published at 42 Pa.B. 2571 (May 12, 2012) and shall remain in effect until superseded by a subsequent list as published in the *Pennsylvania Bulletin*.

Questions regarding the Export List may be directed to Cressinda E. Bybee, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2144, fax (717) 787-8557, cbybee@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-787. Filed for public inspection April 26, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of UGI Utilities, Inc.—Electric Division

**P-2013-2357013; G-2013-2357003. UGI Utilities, Inc.—Electric Division** Petition of UGI Utilities, Inc.—Electric Division for approval of a default service plan and retail market enhancement programs from June 1, 2014, through May 31, 2017, and potential associated affiliated interest transactions.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner and a copy provided to the Administrative Law Judge, on or before May 13, 2013. The documents filed in support of the petition are available for inspection

and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the petitioner's business address.

*Applicant:* UGI Utilities, Inc.—Electric Division, 225 Morgantown Road, Reading, PA 19612-3009

*Through and By Counsel:* Anthony D. Kanagy, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, (717) 731-1970, akanagy@postschell.com

David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F Kennedy Boulevard, Philadelphia, PA 19103-2808, (215) 587-1197, dmacgregor@postschell.com

Mark C. Morrow, UGI Corporation, 460 North Gulph Road, King of Prussia, PA 19406, (610) 768-3628, morrow@ugicorp.com

### Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Wednesday, May 15, 2013

*Time:* 1 p.m.

*Location:* Hearing Room 3  
 Plaza Level  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Susan D. Colwell  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 (717) 787-1399  
 Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the scheduling office at the Pennsylvania Public Utility Commission (Commission) at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

• Scheduling Office: (717) 787-1399

• Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-788. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made

with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 13, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2013-2343039. Healthfleet Ambulance, Inc.** (1000 Remington Avenue, Scranton, PA 18505) for the right to begin to transport as a contract carrier, persons in paratransit service for American Eagle Bus & Limo, Inc., between points in Pennsylvania, and return. *Attorney:* Christina M. Mellott, Page, Wolfberg & Wirth, LLC, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

**Application of the following for the approval of the transfer of stock as described under the application.**

**A-2013-2342534. J. G. Naughton** (1705 Raspberry Street, Erie, PA 16502) for the approval of the transfer of all (100%) ownership interest of the issued and outstanding ownership interest from J. Gordon Naughton to Kent W. Mitchell. *Attorney:* William A. Gray, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-789. Filed for public inspection April 26, 2013, 9:00 a.m.]

**Service of Notice of Motor Carrier Formal Complaints**

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due May 13, 2013, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Jeff's Taxi;  
Doc. No. C-2013-2316848*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement prosecutory Staff hereby represents as follows:

1. That Jeff's Taxi, Respondent, maintains a principal place of business at 132 Pike Street, Port Jervis, NY 12771.
2. Information before this Commission indicates that Respondent, on June 28, 2012, transported Enforcement

Officer Richard Zaleski, a duly authorized officer of this Commission, from Walmart to 210 W. Ann Street, Milford. The driver was asked by the Enforcement Officer what it would cost. The driver indicated it would be \$10.00. Upon arrival at 210 W. Ann Street, Milford, the driver was stopped by Enforcement Officer Blank, a duly authorized officer of this Commission. The owner of the company, Jeff Norberg was contacted, It was requested that he come to 210 W. Ann Street. Upon arrival the officer explained to him that he does not have the authority to operate as a Pennsylvania to Pennsylvania carrier. The owner indicated that he was aware of what he needed to operate. It was found that Respondent transported passengers for compensation while not then holding a Certificate of Public Convenience issued by this Commission.

3. That Respondent, in performing the acts described in Paragraph 2 of this complaint, violated the Public Utility Code, 66 Pa.C.S. § 1101, in that Respondent held itself out to transport passengers in use for compensation between points in the Commonwealth of Pennsylvania while not then holding a Certificate of Public Convenience issued by this Commission. The penalty is \$1,000. Future violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Jeff's Taxi, the sum of One Thousand Dollars (\$1,000.00) for the illegal activity described in this complaint, and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

David Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/19/2013

David Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an application for authority with the Secretary of the Commission, P. O. Box 3265, Harrisburg, PA 17105-265. If no application is received within the twenty (20) day time period, the Bureau of Investigation and Enforcement will proceed with the request for suspension of your vehicle registration(s). Your response should be directed to the Compliance Office, Bureau of Investigation and Enforcement, P. O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in the Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-790. Filed for public inspection April 26, 2013, 9:00 a.m.]

### **UGI Utilities, Inc.—Gas Division; Leak Detection Pilot Program for the City of Allentown**

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. UGI Utilities, Inc.;  
 Doc. No. C-2012-2308997*

In the Pennsylvania Public Utility Commission's (Commission) Order, entered February 19, 2013, at Doc. No. C-2012-2308997, the Commission, inter alia, directed UGI Utilities, Inc.—Gas Division (UGI) to file a pilot program designed to test enhanced leak detection measures in the City of Allentown. On April 12, 2013, UGI filed its Leak Detection Pilot Program for the City of Allentown (Pilot Program). Under the Pilot Program, UGI indicates that it

will employ a three-fold approach as follows: (1) initiate a request for proposal to solicit alternative natural gas leak detection measures to be implemented in the City of Allentown during the 2013 through 2014 winter season; (2) as an interim approach, undertake additional quarterly leak detection surveys on all cast iron mains in the City of Allentown from April 1, 2013, through November 30, 2013, using traditional measures; and (3) provide a written report to the Commission on or before June 1, 2014, describing the results of the Pilot Program.

The Pilot Program filing is available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday. The filing is also available on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov).

UGI Utilities, Inc.—Gas Division

*Through and By Counsel:* David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, PA 19103-2808; Christopher T. Wright, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601; and Kent D. Murphy, UGI Corporation, 460 North Gulph Road, King of Prussia, PA 19406.

Comments to the Pilot Program should be filed with the Secretary by the close of business on May 17, 2013.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-791. Filed for public inspection April 26, 2013, 9:00 a.m.]

## **PHILADELPHIA PARKING AUTHORITY**

### **Motor Carrier Limousine Stock Transfer Application for Service in the City of Philadelphia**

Permanent or temporary authority to render luxury limousine service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. Stanley Thomson Huntington, Jr. has applied to transfer 50% of the stock of H&S Limousine Service, Inc. (CPC No. 1016200-07) held by Christopher Horne. H&S Limousine Service, Inc. holds luxury limousine rights to transport persons in limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Stanley Thomson Huntington, Jr.**, 800 Willowpenn Drive, Southampton, PA 18966, H&S Limousine Service, Inc. registered with the Department of State on August 2, 2005.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday



or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-792. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Limousine Stock Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render luxury limousine service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. Stanley Thomson Huntington, Jr. has applied to transfer 50% of the stock of H&S Limousine Service, Inc. (CPC No. 1016200-07) held by Christopher Spinio. H&S Limousine Service, Inc. holds Luxury Limousine Rights to transport persons in limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Stanley Thomson Huntington, Jr.**, 800 Willowpenn Drive, Southampton, PA 18966, H&S Limousine Service, Inc. registered with the Department of State on August 2, 2005.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-793. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-03-11 by the following named applicant. The company has applied to transfer the rights held by Micky Cab Corp. (CPC No. 1000566-01, Medallion P-1401), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Gold Runner Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on September 26, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with

the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-794. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-04-03 by the following named applicant. The company has applied to transfer the rights held by Micky Cab Corp. (CPC No. 1000566-01, Medallion P-1312 and 1320), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Gustavia Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 24, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-795. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-03-13 by the following named applicant. The company has applied to transfer the rights held by Micky Cab Corp. (CPC No. 1000566-01, Medallion P-0041 and 0480), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Laos Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 28, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-796. Filed for public inspection April 26, 2013, 9:00 a.m.]

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-798. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-04-04 by the following named applicant. The company has applied to transfer the rights held by Micky Cab Corp. (CPC No. 1000566-01, Medallion P-0735 and 0737), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Saint Bart's Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 24, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-797. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-04-01 by the following named applicant. The company has applied to transfer the rights held by Yellow 2000 of Philadelphia, Inc. (CPC No. 1000340-01, Medallion P-0708 and 0709), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Malaysia Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 28, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-799. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-04-05 by the following named applicant. The company has applied to transfer the rights held by Micky Cab Corp. (CPC No. 1000566-01, Medallion P-0988 and 1153), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Saint Jean Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 24, 2013.

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-04-02 by the following named applicant. The company has applied to transfer the rights held by Yellow 2000 of Philadelphia, Inc. (CPC No. 1000340-01, Medallion P-0704 and 0705), to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Nepal Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 28, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-800. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Motor Carrier Stock Transfer Application for Medallion Dispatch Service in the City of Philadelphia

Permanent authority to render Medallion Dispatch Service in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-03-10 by the following named applicant. The company has applied to purchase the corporate stock held by Victory Dispatch, Inc. (CPC No. 1012873-03), to dispatch medallion taxicabs between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Evgeny Freidman**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 28, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 13, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-801. Filed for public inspection April 26, 2013, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

### Bureau of Professional and Occupational Affairs v. Fades to Braids; Doc. No. 1891-42-2012

On December 14, 2012, Fades to Braids, license no. BO432624 of Upper Darby, Delaware County, was ordered to pay a civil penalty of \$850 and costs of investigation of \$65.90 for employing an unlicensed person, failing to operate under proper management and failing to meet minimum equipment requirements.

Individuals may obtain a copy of the adjudication by writing to Juan A. Ruiz, Board Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Barber Examiners' (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

JOHN E. PAYNE, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 13-802. Filed for public inspection April 26, 2013, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Maryann Mathewson; Doc. No. 2130-45-2012

On December 31, 2012, Maryann Mathewson, Pennsylvania license no. CO186401L of Wilmington, DE, was suspended for nonpayment of a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to Juan A. Ruiz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 13-803. Filed for public inspection April 26, 2013, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Tiffany Nguyen; Doc. No. 2121-45-2012

On December 28, 2012, Tiffany Nguyen, license no. CO250629 of Philadelphia, Philadelphia County, was suspended for nonpayment of a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to Juan A. Ruiz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 13-804. Filed for public inspection April 26, 2013, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Nina Rodriguez; Doc. No. 2119-45-2012**

On December 28, 2012, Nina Rodriguez, license no. CO255702 of Manheim, Lancaster County, was suspended for nonpayment of a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to Juan A. Ruiz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 13-805. Filed for public inspection April 26, 2013, 9:00 a.m.]

**STATE BOARD  
OF MEDICINE**

**Bureau of Professional and Occupational Affairs v.  
Jonathan D. Ingram, MD; Doc. No. 1049-49-2012**

On January 7, 2013, Jonathan D. Ingram, MD, license no. MD438379 of Lafayette, LA, had his Pennsylvania license suspended based on his license being disciplined by the proper licensing authority of another state.

Individuals may obtain a copy of the final order by writing to Wesley J. Rish, Board Counsel, State Board of Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649.

ANDREW J. BEHNKE, MD,  
*Chairperson*

[Pa.B. Doc. No. 13-806. Filed for public inspection April 26, 2013, 9:00 a.m.]

**STATE BOARD  
OF NURSING**

**Bureau of Professional and Occupational Affairs v.  
Abigail Wilson, RN; Doc. No. 2201-51-2011**

On January 28, 2013, Abigail Wilson, RN, license no. RN507701L of Pittsburgh, Allegheny County, was placed on probation, assessed a \$1,000 civil penalty and must complete 8 hours of ethics continuing education based on pleading guilty to a misdemeanor, a crime of moral turpitude and committing fraud or deceit in securing her admission to practice nursing.

Individuals may obtain a copy of the final adjudication and order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

Individuals may file a request for a hearing to challenge the validity of the order compelling the examination or to contest the allegations of the motion to deem facts admitted along with an answer within 20 days of publication of this notice. If a request for hearing and answer are not filed within the time period set forth previously, a final adjudication and order indefinitely suspending the individual's license will be issued by the State Board of Nursing.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 13-807. Filed for public inspection April 26, 2013, 9:00 a.m.]

**STATE REGISTRATION  
BOARD FOR  
PROFESSIONAL  
ENGINEERS, LAND  
SURVEYORS AND  
GEOLOGISTS**

**Bureau of Professional and Occupational Affairs v.  
Timothy Eugene Gerhart, PE; Doc. No. 0727-47-  
2012**

On November 20, 2012, Timothy Eugene Gerhart, PE, of Pittsburgh, Allegheny County, license no. PE037017E, was assessed a civil penalty of \$3,000 for practicing on a lapsed license.

Individuals may obtain a copy of the adjudication by writing to Jeffrey J. Wood, Board Counsel, State Registration Board for Professional Engineers, Land Surveyors and Geologists, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Registration Board for Professional Engineers, Land Surveyors and Geologists' (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to

the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ELIZABETH A. CATANIA,  
*President*

[Pa.B. Doc. No. 13-808. Filed for public inspection April 26, 2013, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting

As part of its regular business meeting held on March 21, 2013, in Harrisburg, PA, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved, denied or tabled the applications of certain water resources projects; 2) rescinded approvals for three projects and tabled a rescission for one project; 3) authorized the Executive Director to modify or extend timelines established by docket conditions, when warranted and with prudent administrative discretion; and 4) took additional actions as set forth in the Supplementary Information as follows.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net. Regular mail inquiries may be sent to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391. See also the Commission web site at [www.srbc.net](http://www.srbc.net).

#### *Supplementary Information*

In addition to the actions taken on projects identified previously in the summary and the listings as follows, the following items were also presented or acted upon at the business meeting: 1) presented the Commission's Maurice K. Goddard Award for Excellence by a Water Management Professional to Jim Brozena, recently retired Executive Director of the Luzerne County Flood Protection Authority in Wilkes-Barre, PA; 2) heard a presentation from Commission staff member Ben Pratt on the development of flood inundation mapping for the City of Harrisburg and surrounding communities; 3) revised the Fiscal Year 2014 budget for the period July 1, 2013, to June 20, 2014; 4) approved an investment policy statement for the Commission's Retiree Benefit Trust Account; 5) ratified a joint funding agreement relating to stream gaging and an amendment to the Commission's EPA Section 106 Clean Water Act grant; 6) authorized final execution of a Feasibility Cost Sharing Agreement for Phase II of the Susquehanna River Basin Ecological Flow Management Study; and 7) authorized the Executive Director to execute a Stipulation of Settlement and Withdrawal of Appeal regarding the withdrawal of an administrative appeal by Anadarko E&P Company, LP.

#### *Rescission of Project Approvals*

The Commission rescinded approvals for the following projects:

1. Project Sponsor and Facility: Clark Trucking, LLC Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, PA (Docket No. 20111207).
2. Project Sponsor and Facility: Southwestern Energy Production Company (Tuscarora Creek), Tuscarora Township, Bradford County, PA (Docket No. 20110313).

3. Project Sponsor and Facility: EQT Production Company (Frano Freshwater Impoundment), Washington Township, Jefferson County, PA (Docket No. 20110913).

#### *Rescission of Project Approval Tabled*

The Commission tabled a rescission for the following project:

1. Project Sponsor: AES Westover, LLC. Project Facility: AES Westover Generating Station, Town of Union and Village of Johnson City, Broome County, NY (Docket No. 20070902).

#### *Project Applications Approved*

The Commission approved the following project applications:

1. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River), Nippenose Township, Lycoming County, PA. Renewal of surface water withdrawal of up to 0.720 mgd (peak day) (Docket No. 20090307).
2. Project Sponsor and Facility: Black Bear Waters, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Modification to increase surface water withdrawal by an additional 0.500 mgd (peak day), for a total of 0.900 mgd (peak day) (Docket No. 20120303).
3. Project Sponsor and Facility: Caernarvon Township Authority, Caernarvon Township, Berks County, PA. Renewal of groundwater withdrawal of up to 0.080 mgd (30-day average) from Well 6 (Docket No. 19820912).
4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080923).
5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, PA. Renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080914).
6. Project Sponsor and Facility: Citrus Energy (Susquehanna River), Washington Township, Wyoming County, PA. Renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20081205).
7. Project Sponsor and Facility: Hydro Recovery-Antrim, LP, Duncan Township, Tioga County, PA. Consumptive water use of up to 1.872 mgd (peak day).
8. Project Sponsor and Facility: Mark Manglaviti & Scott Kresge (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Surface water withdrawal of up to 0.999 mgd (peak day).
9. Project Sponsor and Facility: Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Modification to increase surface water withdrawal by an additional 0.499 mgd (peak day), for a total of 1.498 mgd (peak day) (Docket No. 20100309).
10. Project Sponsor: Perdue Grain and Oilseed, LLC. Project Facility: Perdue Soybean Crush Plant, Conoy Township, Lancaster County, PA. Consumptive water use of up to 0.300 mgd (peak day) and groundwater withdrawal of up to 0.028 mgd (30-day average) from Well AP-2.
11. Project Sponsor: R.R. Donnelley & Sons Company. Project Facility: West Plant, City of Lancaster, Lancaster County, PA. Modification to increase consumptive water

use by an additional 0.019 mgd (peak day), for a total of 0.099 mgd (peak day) (Docket No. 19910702).

12. Project Sponsor and Facility: Talisman Energy USA, Inc. (Sugar Creek), West Burlington Township, Bradford County, PA. Renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20090327).

13. Project Sponsor and Facility: Talisman Energy USA, Inc. (Towanda Creek—Franklin Township Volunteer Fire Department), Franklin Township, Bradford County, PA. Renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20081210).

14. Project Sponsor and Facility: Titanium Metals Corporation (TIMET), Caernarvon Township, Berks County, PA. Modification to increase consumptive water use by an additional 0.044 mgd (peak day), for a total of 0.177 mgd (peak day) (Docket No. 20080616).

15. Project Sponsor and Facility: Ultra Resources, Inc. (Cowanesque River), Deerfield Township, Tioga County, PA. Renewal of surface water withdrawal of up to 0.217 mgd (peak day) (Docket No. 20081229).

16. Project Sponsor and Facility: Ultra Resources, Inc. (Pine Creek), Pike Township, Potter County, PA. Renewal of surface water withdrawal of up to 0.936 mgd (peak day) (Docket No. 20090332).

*Project Applications Denied*

The Commission denied the following application:

1. Project Sponsor and Facility: Galeton Borough Water Authority, Galeton Borough, Potter County, PA. Applica-

tion for groundwater withdrawal of up to 0.288 mgd (30-day average) from the Germania Street Well.

*Project Applications Tabled*

The Commission tabled the following project applications:

1. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20080906).

2. Project Sponsor and Facility: Equipment Transport, LLC (Pine Creek), Gaines Township, Tioga County, PA. Application for surface water withdrawal of up to 0.467 mgd (peak day).

3. Project Sponsor and Facility: Houtzdale Municipal Authority (Beccaria Springs), Gulich Township, Clearfield County, PA. Application for surface water withdrawal of up to 5.000 mgd (peak day).

4. Project Sponsor and Facility: WPX Energy Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20090303).

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* April 9, 2013.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 13-809. Filed for public inspection April 26, 2013, 9:00 a.m.]







