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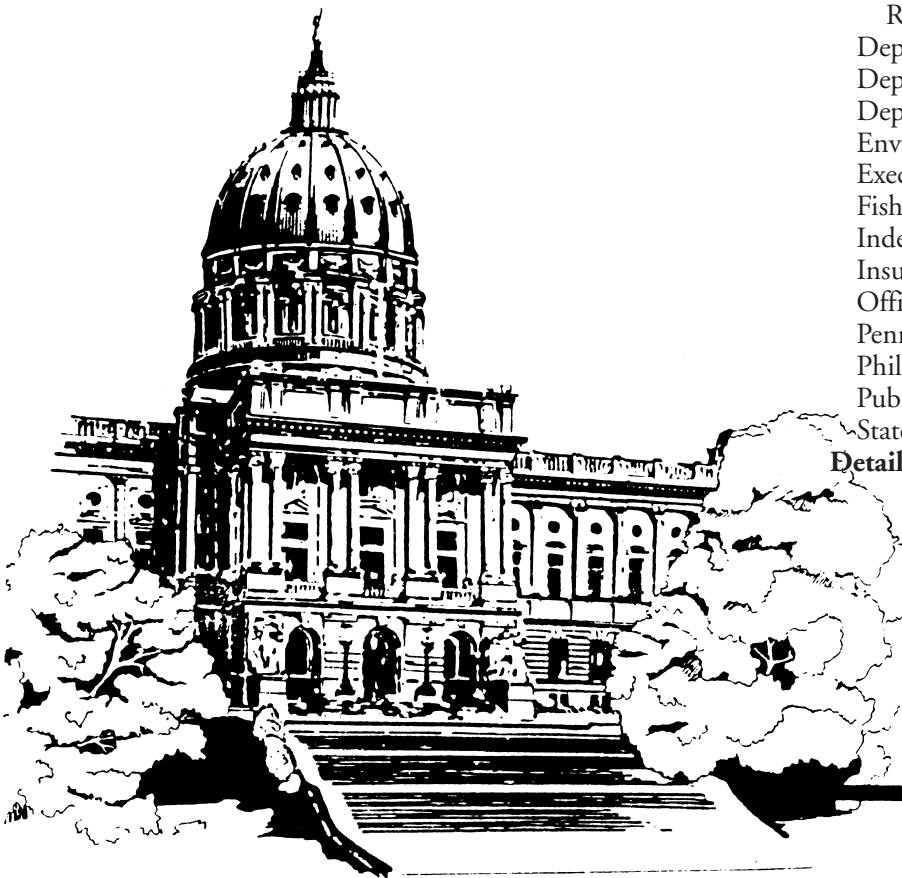
# PENNSYLVANIA BULLETIN

Volume 43  
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Number 32  
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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 465, August 2013**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2013.

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# THE GENERAL ASSEMBLY

## Recent Actions during 2013 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during 2013 Regular Session

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2013 General Acts of Regular Session Enacted—Act 013 through 072</b>					
013	Jun 17	HB0818	PN0928	60 days	Insurance (40 Pa.C.S.)—compliance with Federal health care legislation
014	Jun 18	HB0492	PN1424	Sept 1, 2013	Crime Victims Act—petitions to deny parole upon expiration of minimum sentence
015	Jun 19	HB0040	PN0538	60 days	CPA Law—certificate requirements, equivalency practice for individuals and equivalency practice for firms and entities
016	Jun 19	SB0196	PN0716	Immediately	Pennsylvania Infrastructure Investment Authority Act—definitions, financial assistance and annual report
017	Jun 19	SB0334	PN1143	Immediately	Judicial Code (42 Pa.C.S.)—omnibus amendments
018	Jun 19	SB0679	PN0654	Immediately	Lieutenant Colonel B.D. “Buzz” Wagner Memorial Highway—designation
019	Jun 24	HB0084	PN0062	Immediately	Agricultural Area Security Law—purchase of agricultural conservation easements and abrogating regulations
020	Jun 24	HB0293	PN1730	60 days	Specialist Kenneth Wayne Lampman, Sr., Memorial Bridge, Specialist Gerald Duane Stonemetz Memorial Bridge, Specialist Clark Robert Douglas Memorial Bridge and Private First Class Berwyn Gaylord Cole Memorial Bridge—designations
021	Jun 24	HB0987	PN1151	Immediately	George E. Logue, Sr., Memorial Bridge—designation
022	Jun 24	SB0194	PN0135	Immediately	Medical Care Availability and Reduction of Error (Mcare) Act—repealing provisions relating to reports to commissioner and claims information
023	Jun 24	SB0371	PN0427	Immediately*	Savings Association Code of 1967—repealed
024	Jun 24	SB0419	PN1158	Jan 1, 2014	Extending the date for validation of certain conveyances and other instruments
025	Jun 24	SB0644	PN1173	60 days	Agriculture Code (3 Pa.C.S.) and Game and Wildlife Code (34 Pa.C.S.)—swine hunting preserves and further providing for the definition of “wild animals”
026	Jun 24	SB0865	PN0976	60 days	The Controlled Substance, Drug, Device and Cosmetic Act—penalties involving liquefied ammonia gas, precursors and chemicals
027	Jun 27	HB0326	PN1130	Immediately	County Code—governing board of the convention center authority
028	Jun 27	HB0571	PN0633	60 days	SFC Sidney N. Hamer Memorial Bridge—designation
029	Jun 27	HB0891	PN1945	60 days	Game and Wildlife Code (34 Pa.C.S.)—violations
030	Jun 27	SB0381	PN0314	July 1, 2013	Uniform Commercial Code (13 Pa.C.S.), Fish and Boat Code (30 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—omnibus amendments

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
031	Jun 27	SB0526	PN1156	Immediately	Agriculture Code (3 Pa.C.S.)—definitions and sanitation standards
032	Jul 1	SB0797	PN1148	Immediately*	Education (24 Pa.C.S.) and Military and Veterans Code (51 Pa.C.S.)—calculation of military members' Public School Employees Retirement System benefits
033	Jul 1	SB0798	PN0818	Immediately*	Public School Code of 1949—rights preserved during leave of absence
034	Jul 2	HB0026	PN1944	Immediately	Unemployment Compensation Law—contributions by employees, Service and Infrastructure Improvement Fund and Unemployment Compensation Fund
035	Jul 2	HB0513	PN2169	60 days	Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—payments to family and funeral directors, settlement of small estates on petition and estates not exceeding \$25,000
036	Jul 2	HB0515	PN1946	60 days	Pennsylvania Municipalities Planning Code—definitions and mailed notice in certain proceedings
037	Jul 2	HB1122	PN2085	Immediately	Real and Personal Property (68 Pa.C.S.)—declarant's obligation to complete and restore, contents of declaration for all planned communities, contents of declaration for flexible planned communities and amendment of declaration
038	Jul 2	HB1124	PN2061	60 days	Banks and Banking (7 Pa.C.S.)—omnibus amendments
039	Jul 2	HB1172	PN1606	Immediately	Local Tax Enabling Act—limitations on rates of specific taxes
040	Jul 2	HB1217	PN1580	Immediately	Controlled Substance, Drug, Device and Cosmetic Act—schedules of controlled substances
041	Jul 2	HB1325	PN1706	Immediately	Pennsylvania Sewage Facilities Act—definitions, official plans and permits
042	Jul 2	SB0492	PN0456	60 days	Liquid Fuels Tax Municipal Allocation Law—allocated money
043	Jul 2	SB0579	PN1193	60 days	Administrative Code of 1929—Pennsylvania State Police and repealing an act relating to limitation on complement of the Pennsylvania State Police
044	Jul 2	SB0583	PN1174	Immediately	Economic Development Financing Law—competition in award of contracts
045	Jul 2	SB0586	PN1282	60 days	Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—right to dispose of a decedent's remains
046	Jul 2	SB0914	PN1289	Immediately	Insurance Regulation and Oversight Fund Act—enactment
047	Jul 2	SB0963	PN1107	Immediately	Conveyance—Commonwealth property in East Hanover Township, Lebanon County
048	Jul 2	SB0964	PN1108	Immediately	Conveyance—Commonwealth property in East Hanover Township, Lebanon County
049	Jul 9	HB0022	PN0115	60 days	Uniform Commercial Code (13 Pa.C.S.)—exclusion of consumer transactions governed by Federal law
050	Jul 9	HB0082	PN2154	60 days	Costs of Care of Seized Animals Act—enactment
051	Jul 9	HB0163	PN2175	60 days	County Code—how offices to be held

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
052	Jul 9	HB0465	PN2211	Immediately*	Tax Reform Code of 1971—omnibus amendments
053	Jul 9	HB0602	PN2020	270 days	Controlled Substance, Drug, Device and Cosmetic Act—prohibited acts and penalties and ephedrine and pseudoephedrine and electronic tracking
054	Jul 9	HB0784	PN2158	Immediately	Development Permit Extension Act—enactment
055	Jul 9	HB1075	PN2203	Immediately*	Public Welfare Code—omnibus amendments
056	Jul 9	HB1112	PN2157	Immediately	Conveyances—Commonwealth property in multiple counties
057	Jul 9	HB1119	PN1356	Immediately	Conveyance—Commonwealth property in West Chester Borough, Chester County
058	Jul 9	HB1121	PN1370	60 days	Sheriffs Forrest B. Sebring and Todd A. Martin Bridge—designation
059	Jul 9	HB1141	PN2200	Immediately*	Public School Code of 1949—omnibus amendments
060	Jul 9	HB1190	PN2090	180 days	Health Care Facilities Act—omnibus amendments
061	Jul 9	HB1359	PN1754	60 days	Commonwealth—owned lands, annual charge for tax—exempt lands
062	Jul 9	HB1478	PN2118	Immediately	Conveyances—Commonwealth property in multiple counties
063	Jul 9	HB1482	PN2153	Immediately*	Conveyances—Commonwealth property in multiple counties
064	Jul 9	HB1490	PN2138	Immediately	General Local Government Code (53 Pa.C.S.)—omnibus amendments
065	Jul 9	SB0155	PN1211	Immediately*	Rabies Prevention and Control in Domestic Animals and Wildlife Act—omnibus amendments
066	Jul 9	SB0259	PN1290	60 days	Oil and Gas Lease Act—payment information to interest owners for accumulation of proceeds from production, apportionment and conflicts
067	Jul 9	SB0304	PN1210	Immediately*	Associations Code (15 Pa.C.S.) and Names (54 Pa.C.S.)—omnibus amendments
068	Jul 9	SB0351	PN1222	60 days	General Local Government Code (53 Pa.C.S.)—purposes and powers of municipal authorities
069	Jul 9	SB1002	PN1178	Immediately	Capital Budget Act of 2013-2014—enactment
070	Jul 18	SB0010	PN1322	Immediately	Public School Code of 1949—Office for Safe Schools and allocation of certain appropriated funds
071	Jul 18	SB0591	PN1328	Immediately*	Fiscal Code—omnibus amendments
072	Jul 18	SB0700	PN1320	Immediately	Second Class County Port Authority Act—membership of the authority and Department of Transportation Regionalization and Privatization Study
<b>2013 Appropriation Acts of Regular Session Enacted—Act 001A through 014A</b>					
001A	Jun 30	HB1437	PN2198	Immediately*	General Appropriations Act of 2013—enactment
002A	Jul 9	HB1275	PN2155	Immediately	Bureau of Professional and Occupational Affairs—support of professional licensure boards

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
003A	Jul 9	HB1276	PN1639	Immediately	Office of Small Business Advocate—operation
004A	Jul 9	HB1277	PN1999	Immediately	State Employees' Retirement Board—administrative expenses, etc.
005A	Jul 9	HB1278	PN2000	Immediately	Public School Employees' Retirement Board—administrative expenses, etc.
006A	Jul 9	HB1279	PN2001	Immediately	Department of Labor and Industry and Department of Community and Economic Development—expenses for Workers' Compensation Act, Pennsylvania Occupational Disease Act and Office of Small Business Advocate
007A	Jul 9	HB1280	PN1643	Immediately	Office of Consumer Advocate—operation
008A	Jul 9	HB1281	PN1644	Immediately	Pennsylvania Public Utility Commission—operation
009A	Jul 9	HB1282	PN1645	Immediately	Gaming Control Appropriation Act of 2013—enactment
010A	Jul 18	SB0725	PN1295	Immediately	Pennsylvania State University—general support and Pennsylvania College of Technology
011A	Jul 18	SB0726	PN1296	Immediately	University of Pittsburgh—general support and rural education outreach
012A	Jul 18	SB0727	PN0748	Immediately	Temple University—general support
013A	Jul 18	SB0728	PN1297	Immediately	Lincoln University—general support
014A	Jul 18	SB0729	PN1298	Immediately	University of Pennsylvania—veterinary activities and Center for Infectious Diseases

**2013 Joint Resolutions of Regular Session Passed—JR 002**

002	Jun 27	SB0004	PN0347		Constitution of Pennsylvania—criteria for institutions of purely public charity
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\* denotes an effective date with exceptions

**Effective Dates of Statutes**

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

**Advance Copies of Statutes**

Section 1106 of Title 1 of the Pennsylvania Consolidated Statutes provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services (Department) shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

VINCENT C. DELIBERATO,  
*Acting Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 13-1472. Filed for public inspection August 9, 2013, 9:00 a.m.]

# THE COURTS

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that James Kenneth Fruehling a/k/a J. Kenneth Fruehling having been Disbarred by Consent from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated October 16, 2012, the Supreme Court of Pennsylvania issued an Order on July 24, 2013, ordering that James Kenneth Fruehling be Disbarred from the practice of law in this Commonwealth, effective August 23, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-1473. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that Gregory Nicholas Filosa, having been suspended from the practice of law in the Southern District of New York for a period of one year by Opinion and Order of the United States District Court for the Southern District of New York entered February 5,

2013; the Supreme Court of Pennsylvania issued an Order dated July 24, 2013 suspending Gregory Nicholas Filosa from the practice of law in this Commonwealth for a period of one year retroactive to March 28, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-1474. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that on July 24, 2013, pursuant to Rule 208, Pa.R.D.E., the Supreme Court of Pennsylvania ordered that Stuart Lawrence Leeds be placed on Temporary Suspension from the practice of law, effective August 23, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-1475. Filed for public inspection August 9, 2013, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 59 ]

[ L-2012-2294746 ]

### Establishing a Uniform Definition and Metrics for Unaccounted-for-Gas

The Pennsylvania Public Utility Commission, on April 4, 2013, adopted a final rulemaking order which establishes a uniform definition of “UFG” and metrics for UFG.

#### *Executive Summary*

In February 2012, The Commission Bureaus of Audits and Investigation and Enforcement issued to the Commission the internal report UNACCOUNTED-FOR-GAS In the Commonwealth of Pennsylvania (Report). In response, the Commission established a cross-disciplinary team to explore UFG regulations. The team recommended that the Commission adopt a uniform UFG definition and a UFG metric for use in gas cost proceedings and filings, annual reports, and other investigations. Adoption of these UFG measures would benefit all ratepayer classes by limiting costs associated with unjustified UFG levels.

On June 7, 2012, the Commission issued a Proposed Rulemaking Order with proposed regulations establishing a uniform definition and metric for UFG for comment. Establishing a Uniform Definition and Metrics for Unaccounted-for-Gas, Docket No. L-2012-2294746 (June 7, 2012) (Proposed Rulemaking Order). The Rulemaking sought to establish a uniform UFG definition and to establish rebuttable metrics to transition all Natural Gas Distribution Companies (NGDC) to reasonable UFG levels. The metric consisted of a 5-year declining UFG compliance schedule whereby NGDCs could recover through rates a maximum of 5 percent in year one, down to a maximum of 3 percent in year five, declining by 0.5 percent per year. Nine parties filed comments and six parties filed reply comments.

On April 4, 2013, the Commission issued its Final Rulemaking Order. The Commission carefully considered the Comments and Replies and made modifications to the proposed regulations to accommodate many suggestions of interested parties. The Commission did not alter the core UFG metric. However, it established a reasonable transition to the new metric by having it apply on an annual basis for the twelve months ending Aug. 31, and taking effect beginning with each NGDC’s first subsequent gas cost proceeding one year after the effective date of the rulemaking. It clarified that the metric would apply only to distribution infrastructure, thus making the metric reasonably achievable for all NGDCs. It also established that UFG reports would be due September 30 of each report year, and clarified that the scope of allowable exceptions to the metric’s rebuttable presumption were open-ended.

Public Meeting held  
April 4, 2013

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

*Establishing a Uniform Definition and Metrics for Unaccounted-for-Gas;  
Doc. No. L-2012-2294746*

### Final Rulemaking Order

*By the Commission:*

Before us is the Final Rulemaking Order establishing metrics and a uniform definition for unaccounted-for-gas (UFG). In addition to the regulations discussed below, the Public Utility Code provides the Pennsylvania Public Utility Commission (PUC or Commission) with broad authority to regulate all aspects of the provision of public utility gas service within the Commonwealth. The Public Utility Code addresses our authority to regulate the character and service of public utility facilities—as well as the standards under which regulated utilities provide those services and facilities to the public. 66 Pa.C.S. §§ 1501, 1504. The Public Utility Code also tasks us with ensuring that public utility rates are just and reasonable and otherwise in conformity with the regulations and orders of the Commission. 66 Pa.C.S. § 1301. Our authority over regulated Natural Gas Distribution Company (NGDC) facilities and services is therefore broad.

Our jurisdiction extends to all NGDC plant and equipment without limitation, and all means and instrumentalities in any manner owned, operated, leased, licensed, used, controlled, furnished, or supplied for, by, or in connection with, the business of the regulated NGDC. 66 Pa.C.S. § 102. In addition, the Public Utility Code tasks the Commission with oversight of the Commonwealth’s competitive natural gas markets. 66 Pa.C.S. § 2201 et seq. In particular, we oversee the integral role of Pennsylvania’s NGDCs in competitive markets. 66 Pa.C.S. § 2205. The Public Utility Code also authorizes the Commission to require public utilities to provide it with information on matters the Commission is required to oversee. 66 Pa.C.S. § 504. Through this Order, we work to fulfill our statutory role by enhancing the methodology through which we evaluate natural gas costs in various Commission rate proceedings. Moreover, pursuant to our duty to ensure that rates remain just and reasonable, under 66 Pa.C.S. Section 1301, we establish a rebuttable presumption that levels of UFG above certain threshold levels are not just and reasonable expenses and, therefore, not recoverable from consumers.

The regulations set forth herein are based upon the February 2012 Joint Report on UFG developed by the PUC Bureaus of Investigation and Enforcement and Audits (BI&E & Audits, respectively). To implement the Joint Report, the Commission established a cross disciplinary team to develop proposed UFG regulations. Based upon our review and consideration of the many comments filed in this rulemaking proceeding by industry, statutory advocates, and other interested persons, we issue these final regulations with this Order.

#### *Discussion*

#### *Background*

In general, UFG is defined as the difference between total gas supplies delivered to the NGDC and the amount of that gas the NGDC subsequently delivers to its retail, commercial, and industrial customers, adjusted for company use, temperature, pressure variations, or other allowed variables. As the name implies, UFG is gas that is “lost” during transport from supplier to customer. In the past, UFG also carried the monikers LAUF or

LUF—variants of “lost and unaccounted for gas.” This Rulemaking establishes, inter alia, the uniform terminology of “unaccounted for gas,” or UFG, to describe gas lost from an NGDC’s system.

Pennsylvania NGDC customers pay for the costs of UFG through various gas commodity cost and reconciliation proceedings before the Commission that allow for the collection of UFG as a part of commodity gas costs. The accurate calculation of UFG costs is of great concern to the Commission, NGDCs, and all gas market participants.

Until now, PUC regulations lacked a uniform definition for UFG. Prior to our establishing a uniform definition of UFG here, each NGDC defined UFG based upon individual company experience. This practice has created inconsistencies that hindered our ability to monitor UFG levels across NGDCs, and to gauge with accuracy the corresponding financial burden UFG imposed on all classes of ratepayers.

In February 2012, BI&E and Audits provided the Commission with the internal report UNACCOUNTED-FOR-GAS In the Commonwealth of Pennsylvania (Report). In response to the Report’s recommendations, the Commission established a cross disciplinary team to explore proposed UFG regulations. The Commission comprised the team from the following Commission Bureaus: Law, Office of Special Assistants, Audits, and Technical Utility Services.

On June 7, 2012, the Commission issued its Proposed Rulemaking Order with proposed regulations establishing a uniform definition and metric for UFG for comment. Establishing a Uniform Definition and Metrics for Unaccounted-for-Gas, Docket No. L-2012-2294746 (June 7, 2012) (Proposed Rulemaking Order). The Order and proposed regulations appeared in the October 22, 2012 edition of the *Pennsylvania Bulletin*, triggering a 30-day comment period and subsequent 15-day reply comment period. Nine parties filed comments and six parties filed reply comments. Comments or reply comments were submitted by Columbia Gas of Pennsylvania (Columbia), Dominion Retail, Inc. (Dominion), Energy Association of Pennsylvania (EAP),<sup>1</sup> Equitable Gas Company, LLC (Equitable), Industrial Customer Groups (ICG),<sup>2</sup> Office of Consumer Advocate (OCA), Office of Small Business Advocate (OSBA), PECO Energy Company (PECO), Peoples Natural Gas Company, LLC and Peoples TWP, LLC (collectively referred to as Peoples), Pennsylvania Independent Oil and Gas Association (PIOGA), and Pike County Light and Power Company (Pike). On January 3, 2013 the Independent Regulatory Review Commission (IRRC) submitted comments. We review and address the comments below.

### Comments

#### 52 Pa. Code Section 59.111(a) Adjustments Definition

IRRC opines that the second sentence of the definition of “Adjustments” specifies substantive regulatory requirements. IRRC notes that “substantive provisions should not be included in a definition” citing to the *Pennsylvania*

*Code and Bulletin Style Manual*, § 1.7(c). IRRC requested that the Commission remove the sentence from the definition and place it in the body of the regulation that addresses adjustments, such as 52 Pa. Code Section 59.111(b)(5). IRRC Comments at 1.

In addition, IRRC questioned why “storage losses” were not included in the adjustment definition. EAP also commented that storage losses should be included in the definition for adjustments. EAP Comments at 5. Similarly, OSBA commented that the proposed calculation of UFG may create problems if used to compute storage UFG, particularly for NGDC-owned storage systems. OSBA Comments at 3. Peoples and OSBA noted that UFG cannot be measured as the difference between metered injection volumes and metered withdrawal volumes, and actual inventory changes cannot be easily measured. Peoples added that storage losses are determined by periodic engineering studies rather than mathematical formulas; storage migration losses are not “UFG” and represent a long-accepted adjustment to system-wide UFG. Peoples Reply Comments at 2.

EAP supports a standardized definition for UFG that aligns with the American Gas Association (AGA) definition of UFG. EAP also supports the calculation of UFG by system type (gathering, transmission, storage, and distribution). EAP also recommends that in addition to including “storage losses” in the proposed definition of “Adjustments” at 52 Pa. Code Section 59.111(a), the Commission use “such as” in the definition as a modifier to reflect other potential adjustments in addition to those listed in the proposed regulation. EAP Comments at 4-5.

PECO also supports a definition for “Adjustments” to allow NGDCs the flexibility of including adjustments that reflects appropriate uses of gas not specified in the proposed regulation. With this, PECO recommends including a phrase “and all other adjustments an NGDC considers necessary, subject to approval by the Commission in Section 1307(f) proceedings.” PECO believes that including this phrase will allow NGDCs to make adjustments for typographical errors/manual data entry controls, transportation imbalances, and weather/temperature conditions. PECO Comments at 3, 11-12.

### Resolution

As IRRC highlighted, the *Pennsylvania Code and Bulletin Style Manual*, Section 1.7(c), provides that definitions should not include substantive provisions. The Commission agrees and will move the substantive regulatory requirements for adjustments to 52 Pa. Code Section 59.111(b)(5).

The definition of adjustments to UFG is not an exhaustive list of the adjustments an NGDC may claim but is meant to provide examples. The Commission also agrees with OSBA and Peoples that storage UFG is dependent upon engineering principles and other factors affecting storage. However, regardless of facility type, the Commission finds that the UFG calculation remains the same as proposed in 52 Pa. Code Section 59.111(b)(1) and 52 Pa. Code Section 59.111(b)(2) given that storage field operational factors (such as migration) would be considered adjustments to storage related UFG. The Commission clarifies that NGDCs are to separate and report storage related losses, whether they are adjustments due to factors like migration, or relate to other losses. Therefore, the Commission disagrees that storage related facilities should be exempt from reporting requirements. In addition, the term “storage losses” is too broad to be included in the definition for adjustments; however, for

<sup>1</sup> EAP filed comments and Reply Comments on behalf of: Columbia Gas of Pennsylvania, Inc.; Equitable Gas Company, LLC.; National Fuel Gas Distribution Corporation; PECO Energy Company; Peoples Natural Gas Company; Peoples TWP, LLC; Philadelphia Gas Works; Pike County Light & Power Company; UGI Utilities, Inc.; UGI Penn Natural Gas, Inc.; UGI Central Penn Gas, Inc.; and, Valley Energy, Inc. (EAP Comments at 2.)

<sup>2</sup> ICG consists of the following ad hoc entities: Industrial Energy Consumers of Pennsylvania, Central Penn Large Users Group, Columbia Industrial Intervenors, Philadelphia Area Industrial Energy Users Group, Philadelphia Industrial & Commercial Gas Users Group, and UGI Industrial Intervenors (ICG Comments at 1-2.) The ICG comments do not identify the commercial, institutional, or industrial members of those ad hoc entities.



clarity, the Commission will add storage migration as an example of an adjustment to storage related losses.

The Commission agrees with both EAP and PECO that its list of adjustments was not exhaustive and will therefore include the phrase “such as” in the definition of “Adjustments” in 52 Pa. Code Section 59.111(a). This will allow NGDCs to include other uses of gas, or necessary adjustments, not specified in the proposed regulation. In addition, “such as” will be added to 52 Pa. Code Section 59.111(b)(5) for consistency purposes. However, the Commission will not adopt the additional language suggested by PECO.

*52 Pa. Code Section 59.111(a) Definition for Gas Delivered and Gas Received*

OSBA supports the Commission proposal that UFG measurement rely on actual metered data employing conceptually sound adjustments based on clear documentation and engineering standards. OSBA recommends, however, that distribution gas deliveries should be defined as metered gas deliveries, as adjusted for temperature or pressure for billing purposes, and adjusted for billing cycles. OSBA opines that this will allow parties to confirm that volumes used for revenue purposes are consistent with volumes used for UFG calculation purposes. Additionally, OSBA states that any other differences between gas deliveries used in the UFG calculation and billed gas deliveries should be included as adjustments, and subject to the Commission’s requirements for any such adjustments. In addition, OSBA sought to qualify distribution gas receipts as metered deliveries from enumerated sources. OSBA Comments at 2-3.

PECO Reply Comments assert that billed volumes are always derived from actual data based on a half-month billing lag. It also asserts that output data reporting is always on a calendar basis. It recommends that the regulations avoid inconsistency because of the variances in accounting treatment that NGDCs may use when booking billed volume and output data values. Because actual data is more consistent and accurate, PECO recommends basing billing cycle adjustments upon sales data only. PECO Reply Comments at 2.

Peoples’ Reply Comments opine that it is not sure of the effect of the OSBA proposed change, especially for NGDCs that do not adjust for temperature or pressure for billing purposes; Peoples therefore opposes the proposed change. Peoples Reply Comments at 3.

*Resolution*

Meter data, both on the consumption and delivery side, provides utilities with the basis for computing UFG. As PECO pointed out, meter data can have inherent differences between deliveries and receipts that may affect UFG. In addition, Peoples highlighted that NGDCs have historically calculated their UFG from billed sales based upon metered consumption; a switch in methodology could introduce unknown consequences. The Commission generally agrees with the PECO and Peoples comments in this regard; we will not modify the proposed definition of Gas Delivered or Gas Received at this time. However, we expect that NGDCs will explore inaccuracies between meter data and billing system consumption data, and will eliminate conflicts whenever possible. In addition, since NGDCs bill based upon energy or volumetric rates, NGDCs should also ensure conversion factors (such as heat content) accurately reflect system composition. More importantly, an NGDC billing preference (i.e., therms, MCF, CCF, etc.) should not introduce avoidable errors into UFG computations.

*52 Pa. Code Section 59.111(a) Definition for UFG*

IRRC stated that the PUC should consider whether the AGA definition of UFG is appropriate for use in this regulation. In addition, EAP, Equitable, and PIOGA suggest that the definition for UFG should follow the AGA definition.

*Resolution*

The Commission does not believe that there is a material difference between the AGA definition and the proposed definition. However, to align consistent language across the industry, the Commission will adopt the AGA definition of UFG.

*52 Pa. Code Sections 59.111(a), (b)(1), and (b)(2) Reference to Facility Types*

Equitable submits that the proposed rulemaking be revised to address distribution system UFG only and that UFG for other system functions such as transmission, storage and production/gathering be addressed separately. Equitable, therefore, proposed renaming the proposed rulemaking “Distribution System Unaccounted-for-Gas.” Equitable further suggests the elimination of references to transmission, storage and production/gathering from the definition of Adjustments, Gas Delivered, Gas Received, NGDC, and UFG-Unaccounted-for Gas in 52 Pa. Code Section 59.111(a)—Definitions, 52 Pa. Code Section 59.111(b)—Calculation of the Proposed Regulation. Equitable Comments at 1-3.

However, OSBA disagrees with Equitable’s recommendation of revising the proposed regulation to address distribution system UFG only and eliminating UFG for other system functions (transmission, storage, and production/gathering). OSBA agrees with the Commission, stating that there is merit in the Commission’s proposal to evaluate UFG in NGDC gathering systems. OSBA posits that this will help the Commission and parties to annual Section 1307(f) proceedings to evaluate whether a particular utility is making progress, or losing ground, in controlling its gathering systems’ UFG. OSBA Reply Comments at 4-5.

*Resolution*

The Commission agrees with OSBA that while the proposed regulation sets cap metrics for only distribution system losses, it also addresses UFG for other system functions such as transmission, storage, and production/gathering. As stated in the Proposed Rulemaking Order, the proposed UFG calculation is based on the US DOT Report calculation and is generally aligned with current NGDC definitions of UFG. Furthermore, since the Commission has jurisdiction over public utility gathering, transmission (pursuant to 52 Pa. Code Section 59.3(a)), distribution and storage, losses from all facility types of an NGDC must be recorded and reported with each company’s annual filing. Proposed Rulemaking Order at 12.

*52 Pa. Code Sections 59.111(b)(1) and (b)(2) Calculation for UFG*

Equitable commented that the UFG calculation should be changed to:  $UFG \% = ((\text{Gas Received} \pm \text{Adjustments}) - (\text{Gas Delivered} \pm \text{Adjustments})) / (\text{Gas Received} \pm \text{Adjustments})$ . Equitable Comments at 2. In addition, IRRC and EAP suggested that 52 Pa. Code Section 59.111(b)(2) should include parenthesis isolating the percentage calculation to improve clarity. IRRC Comments at 2; EAP Comments at 8.

### *Resolution*

The definition proposed by Equitable does not provide additional clarity since the adjustments to Gas Received and Gas Delivered would not be identical as Equitable presents in its comments. Instead, the definitions presented in that 52 Pa. Code Section 59.111(a) identify that adjustments may occur in three areas: gas received, gas delivered, and other adjustments. Therefore, the Commission does not believe that the Equitable proposed calculation addresses adjustments that cannot be characterized as either gas received or delivered, e.g., purging for construction purposes. Therefore, the Commission believes that the proposed UFG calculation is adequate since it provides more flexibility and functionality. However, the Commission accepts the IRRC and EAP suggestion that movement of the parenthesis in 52 Pa. Code Section 59.111(b)(2) could provide additional clarity and will modify 52 Pa. Code Section 59.111(b)(2) accordingly.

### *52 Pa. Code Section 59.111(c)(1) Establishment of the Metric*

IRRC requested the PUC demonstrate three themes related to the establishment of the metric. First, will the calculation of the percentage of UFG under the regulation differ from the percentages shown in Table 1 of the Preamble, and if so, by how much? Second, the PUC should demonstrate that the diminishing percentage reductions of UFG specified in 52 Pa. Code Section 59.111(c)(1) are attainable for all gas utilities affected by the regulation. Finally, the PUC should explain why it is necessary to impose the penalty of not allowing cost recovery now rather than waiting until after the PUC and the gas utilities have more experience with these new definitions, calculations and their results. IRRC Comments at 2. In addition to the IRRC questions above, many commenters had similar concerns.

While EAP, PECO, and PIOGA all suggested the creation of a standardized definition/calculation, they also commented that the Commission should wait to establish the metric since they believe the metric has been arbitrarily set. EAP states the prudent course of action should be the adoption of a common definition and method of UFG calculation and using that new data in existing 66 Pa.C.S. Section 1307(f) proceedings. EAP Reply Comments at 2. More specifically, PECO commented that the Commission is setting cost recovery targets based on industry information the Commission found is, or likely is, inaccurate and/or measured and reported inconsistently from company to company, which makes it likely that the "targets" the Commission proposes are similarly inaccurate and/or inconsistent with properly measured and reported levels of UFG. PECO Comments at 2-3. Equitable believes that the proposed regulation should adopt a standardized definition for UFG with no metric, leaving the issue of cost recovery to annual 66 Pa.C.S. Section 1307(f) proceedings. Equitable comments at 3.

### *Resolution*

The points IRRC asks the Commission to address are based upon, and intertwined with, comments from other parties. Therefore, the Commission will respond to the IRRC comments in turn—but will also provide additional discussion where needed. First, IRRC questions how much NGDC reported UFG percentages will change based upon the consistent definition/calculation in Annex A of the Proposed Rulemaking Order. The Commission highlighted the fact that the data presented in the Proposed

Rulemaking Order included inconsistencies due to company specific conditions and calculations. A substantial part of these differences was that NGDCs were filing UFG data that included multiple facility types. Report at 6-7. Since every NGDC in Table 1 of the Preamble has multiple facility types, and did not report separate UFG by facility type, the Commission contends that distribution system UFG for each NGDC will be lower than that reported in Table 1. Since the proposed regulations will task every NGDC to report UFG attributed to facility types (i.e., transmission, storage and/or production), their respective distribution UFG should be reduced by the quantity of UFG reported for transmission, storage and/or production facilities. However, the percentage change in reported statewide UFG to distribution UFG is difficult to quantify.

Generally, different facility types have differing levels of UFG. For instance, production facilities typically have higher UFG levels than distribution systems. Conversely, distribution UFG is usually much higher than transmission UFG. This is due to the nature, construction, criticality, and risk of those facilities. Therefore, an NGDC with production facilities will see a much larger reduction in their reported distribution UFG than an NGDC that does not have any local production. Below, the Commission provides two such examples of reductions to provide a qualitative response.

PECO provided its Lost and Unaccounted for Gas Plan and Report as an exhibit to its comments. Within this plan, PECO identified drivers for its UFG attributed to calculation or reporting type errors. This identification resulted in a reduction of 0.66% to its reported UFG. PECO Energy Company Lost and Unaccounted For Gas Plan and Report 2012 at 12. As a result, PECO's efforts represent a 16.8% reduction in its UFG. In another example, Equitable developed a UFG reduction plan in response to its base rate proceeding at Docket No. R-2008-2029325, and reaffirmed it in its 1307(f) proceeding at Docket No. R-2010-2155613. Equitable focused on four areas: (1) segmentation of the gathering system; (2) line walking; (3) meter-size testing; and (4) a more stringent large meter calibration program per the Equitable 1307(f) proceeding at Docket Number R-2010-2155613. As a result, Equitable reduced its UFG, as reported in the PUC Annual Report, from 10.01% in 2008 to 2.3% in 2012. The Equitable decrease in UFG represents a 77% decrease in its reported system-wide UFG.

These two examples illustrate that substantial UFG reduction is possible under a proactive effort to reduce UFG. The Commission notes that not every NGDC would (or needs to) reduce UFG. However, the Commission believes that the IRRC concern with anticipated UFG reductions ties to its second question on demonstrating that all utilities are capable of meeting the 3% metric. This question relates to comments on the metric being arbitrary or not needed at all. The Commission based the metric upon historical NDGC performance data coupled with anticipated changes from the new definition/calculation. As discussed in the Proposed Rulemaking Order, a majority of NGDCs now operate below the 3% UFG level. With the two examples highlighted above, and more recent data, the Commission believes that there are only two Purchased Gas Cost (PGC) companies and one Gas Cost Recovery (GCR) company reporting UFG above the 3% metric in their Annual Reports for calendar year 2011. As discussed above, Annual Report numbers are actually system-wide UFG; therefore, we anticipate distribution UFG to be somewhat lower. In addition, the Proposed Rulemaking Order indicated that there are

various initiatives and tools, e.g., Act 11 or accelerated main replacement programs, to aid NGDCs in eliminating UFG in distribution systems.

Therefore, the Commission determined that an end state UFG metric should be set at 3% for distribution UFG and we find the evidence presented in the Proposed Rulemaking Order, and in the discussion above, supports the 3% goal as a viable metric for all NGDCs. However, the Commission understands that differing variables, as well as UFG mitigation, could delay reductions in UFG. For this reason, the Commission built time into the regulations for an NGDC to mitigate, identify, or at a minimum, quantify why it could not reduce its UFG. Nonetheless, IRRC and various commenters suggested that the Commission should wait to establish the metric.

In anticipation of these concerns, the Commission provided two provisions within the Proposed Rulemaking Order to give NGDCs additional time by (1) delaying the metric for one year after adoption of the consistent definition/calculation, and (2) decreasing the metric from 5% to 3% over five years. While EAP points out this 5 year grace period appears to be a 40% reduction in UFG levels, the Commission notes that it developed the provision to afford NGDCs more time to implement a downward sliding recovery mechanism. The Commission also notes that all but one GCR NGDC reported UFG below 5% in 2011 and a majority of NGDCs would not have to reduce UFG to meet the 3% metric. Therefore, the 0.5% reduction per year is not arbitrary. Rather, the reduction reflects current conditions, statutory goals, and provides additional NGDC flexibility to meet the metric. The Commission points out that no PGC company would need to reduce UFG by 40% based upon data filed for the 2011 calendar year.

In contrast, the Commission does not believe an immediate 3% cap metric is prudent and therefore developed a lenient grace period. This grace period will allow the Commission and other parties to GCR or PGC proceedings to identify potential problems resulting in high UFG and work with NGDCs to eliminate the high UFG before the 3% metric takes effect. However, if an NGDC fails to meet the metric, the Commission proposed a provision for UFG recovery due to unforeseen, unintended, or unknown operational issues in 52 Pa. Code Section 59.111(c)(3). Therefore, the Commission believes that it has enough data to find the 3% distribution metric feasible for all NGDCs, supported by industry performance regardless of potential data variability, and establishes that metric at this time. Furthermore, the Commission believes it crucial to have a mandated maximum UFG allowable percentage, or cap metric, to provide clear means for enforcement and to define prudent UFG levels.

#### *52 Pa. Code Section 59.111(c)(1) Individualized Metric*

IRRC asked the Commission to demonstrate that the use of a single standard will best accomplish the purposes of reducing UFG for all system types. IRRIC Comments at 2. EAP and Peoples submitted that the metric should be company specific instead of a uniform statewide target. EAP further states that mandating a single statewide goal that does not take into account the variables and differences in individual NGDC operating systems will likely not produce accurate and meaningful results. EAP Comments at 7. OSBA presented a variation of this concept in which it suggested that continuous improvement in UFG levels should be included in the final rulemaking order, if not in the amendment of the Commission's regulations in Annex A. OSBA did note that some NGDCs have extremely low UFG—a level that may

not require continuous improvement. OSBA Comments at 3-4. In contrast, both Pike and Columbia disagree with OSBA over the need for continuous improvement. In fact, Columbia commented that continuous improvement for UFG levels treats UFG in a non-uniform manner, creates an inherent unfairness to NGDCs falling within the established cap metric, and is completely at odds with the Commission's establishment of a standard metric for UFG recovery. Columbia Reply Comments at 3.

#### *Resolution*

The Commission believes the issue raised by the commenters to be whether a single standard or individualized standard is best for all interested parties. The Commission contends that much of the variability between NGDCs depends upon the types of facilities the NGDC operates. As noted earlier, NGDCs with integrated production will historically experience higher UFG than NGDCs receiving full supply requirements from the interstate pipelines. By requiring NGDCs to report UFG by facility type, the Commission aims to eliminate most of the variability in reported UFG levels between NGDCs.

The Commission agrees that differences in architecture, procedures, and overall NGDC operation could create differences in distribution UFG. However, it is also important to note that differences in distribution UFG tie directly to company performance. EAP cites Commission staff affirming that there are at least 17 conditions leading to UFG. EAP Comments at 7. However, these 17 (or more) conditions depend upon appropriate NGDC actions to address these conditions and are generally within the NGDC control. More importantly, the Commission finds that NGDCs have programs in place to address many, if not all, the factors Staff identified in its presentation.<sup>3</sup>

Given that NGDCs should work to correct conditions causing UFG, and the similarity in general function of distribution systems, the Commission believes that distribution systems are only distinguishable by operating characteristics and company policies/procedures. These differences, though somewhat variable, effectively gauge the performance of each NGDC. Thus, a unified statewide approach allows the Commission to compare the totality of NGDC performance and then focus its safety efforts on companies performing poorly. Therefore, the differences between distribution operating characteristics do not necessitate the development of individual UFG reduction targets due to the problems with individualized targets highlighted below.

The Commission emphasizes that individualized UFG reduction targets would be unfair and burdensome for all involved. For instance, NGDCs with low UFG would be required to improve upon their distribution UFG. While the Commission generally supports continuous improvement, and encourages all NGDCs to continue to improve their systems, there is a point when improvement becomes noneconomic or operationally infeasible. Therefore, an individualized metric system may penalize any NGDC that proactively reduced its UFG by forcing continuous improvement, irrespective of any cost/benefit analysis. Ultimately, the cost to the ratepayer could increase substantially for no purpose other than an attempt to reduce a relatively low UFG percentage. Conversely, NGDCs reporting high UFG would be subject to higher percentage reductions, thus presenting an apparent bias against NGDCs requiring double-digit percentage reduc-

<sup>3</sup> Paul Metro, "Technical Losses in Natural Gas Transportation, Distribution and Storage," 2007 presentation at the Winter Meeting of the National Association of Regulatory Utility Commissioners (NARUC) at 3.

tions. Therefore, we believe a company-by-company approach to UFG metrics would create inequities between NGDCs, appear to be biased, and could be uneconomical or impractical.

The Commission has always questioned upward UFG trends and has historically required, along with other parties to Section 1307(f) proceedings, utilities to develop plans to halt or reduce the trend. Notably, companies with UFG levels below the metrics are expected to either maintain or improve their UFG levels and, if increasing, may be required to provide a specific rationale in an appropriate filing and/or proceeding to explain the UFG increase and require that NGDC to put forth a plan to identify/reduce increasing UFG. We note that in these or similar proceedings, investigations, audits, etc., the Commission has the authority to require NGDCs to address increasing UFG, regardless of level. The Commission, therefore, contends that the metric established in Annex A offers a consistent and prudent approach to improved UFG performance in distribution systems.

#### *52 Pa. Code Section 59.111(c)(1) Application of the Metric*

OCA submits that while it supports the provisions of 52 Pa. Code Section 59.111(c) of the proposed regulation, the section should also be applicable to transmission system losses. OCA submits that transmission and distribution mains make up the network of pipes used to deliver gas to customers. Therefore, the metric should also include transmission UFG pointing to the almost non-existent functional and physical difference between transmission and distribution mains. OCA also submits that not all Pennsylvania NGDCs meet industry standards in their definition of mains as either distribution or transmission mains. OCA cites Peoples TWP, LLC as one of such Pennsylvania NGDC with transmission mains that do not meet industry standard. Furthermore, OCA highlights the difficulty or confusion of NGDCs distinguishing between transmission and distribution UFG absent necessary metering. In conclusion, OCA maintains that while transmission facilities do not significantly contribute to UFG, including transmission facilities in the metrics produces no significant hardship for NGDCs either. OCA Reply Comments at 3-5.

Peoples disagrees with the OCA proposal, noting that OCA believes that transmission line UFG is likely insignificant. In addition, Peoples noted that inclusion of transmission UFG would likely require increasing the metrics cap to reflect an additional function in the metric. Peoples Reply Comments at 1-2.

OSBA highlights the inclusion of different types of utility assets (gathering, storage, transmission, distribution) in the calculation of UFG as one of the causes of the variations in the reported UFG levels. OSBA, therefore, advocates limiting the proposed metric to distribution UFG in order to eliminate such variations. OSBA Reply Comments at 2-3.

#### *Resolution*

The Commission agrees with Peoples and OSBA that the metric should focus only on distribution system losses at this time. As mentioned in the Proposed Rulemaking Order, although the proposed regulation only establishes caps for distribution UFG, cap metrics for other functions under the Commission's jurisdiction will be reviewed later after more data collection. Also, as highlighted in the Proposed Rulemaking Order, a declining distribution metric was proposed to align with the U.S. Department of Transportation's Pipeline and Hazardous Material Safety

Administration's (PHMSA) Distribution Integrity Management Plan (DIMP and other efforts within the gas industry. Proposed Rulemaking Order at 12.

#### *52 Pa. Code Section 59.111(c)(2) Reporting Period*

Several commentators requested that the final regulation employ an annual reporting period end-date outside the high volume winter months. IRRC requested that the Commission review the ending date and to the extent practical, coordinate the ending date with other filings the utilities make that require a calculation of UFG. IRRC Comments at 2. OCA suggests an annual period ending August 31 to minimize UFG fluctuations due to unbilled volumes. OCA comments at 4. Equitable suggests that the UFG calculation be based on the twelve months ending August 31 or other date as the NGDC may show to be more appropriate for its system. Equitable Comments at 2. OSBA and EAP contend the UFG metric should be calculated on a summer-to-summer basis instead of a calendar year basis, which will prevent NGDCs from having to make large estimated unbilled gas adjustments in their UFG calculations. OSBA Comments at 3; EAP Comments at 8. PECO suggests UFG be calculated over annual periods or 3-year average periods ending June 30. PECO comments at 6. PIOGA and EAP support PECO's suggestion of a 3-year average. PIOGA Reply Comments at 2; EAP Reply Comments at 3. Peoples suggests an annual period ending during the summer. Peoples Comments at 1-2. Pike commented that it is unclear how NGDCs should calculate distribution system losses on a calendar year basis if annual GCR filings are not synchronous with the calendar year. Pike Comments at 3.

OSBA comments that reviewing trends in UFG rates, rather than only an individual year's performance, is an important part of the annual UFG evaluation. OSBA opines that without an explicit Commission directive, it is sometimes difficult to obtain information from NGDCs regarding historical performance. OSBA requests that when the proposed metrics go into effect, NGDCs be required to provide five years of historical UFG performance, with supporting data and calculations, in their next PGC or GCR proceeding. OSBA Comments at 4.

#### *Resolution*

The Commission notes and agrees with comments made by OCA, OSBA, and EAP that a calendar year reporting period may require large estimated unbilled gas adjustments in NGDC UFG calculations. For the reasons discussed by the commenters, we have changed the annual reporting period for distribution metrics in 52 Pa. Code Section 59.111(c)(2) from the year ending December 31 to the twelve months ending August 31. Adopting this reporting period to accommodate commentators has additional consequences, discussed below.

Regarding comments that NGDCs should use a 3-year average to perform the UFG calculation, we believe a 3 year average methodology or similar statistical evaluation could be utilized during 1307(f) proceeding or GCR filings provided that the NGDC proves the need for the deviation and obtains Commission approval. In summary, 52 Pa. Code Section 59.111(c)(3) allows for deviation from the annual metrics contingent upon an NGDC providing convincing proof of the need. The Commission would make clear that distribution metrics will not change how NGDCs recover their distribution system losses for their PGC or GCR filings, except to note that the distribution metric may be used to set a maximum recovery for distribution UFG.

The Commission would note that historical UFG levels are publicly available through the reports mentioned in the Proposed Rulemaking Order. In addition, the Proposed Rulemaking Order provides public historical data on all PGC companies. Therefore, the Commission will deny the request of OSBA to have the NGDCs provide five years of historical UFG performance with its initial 1307(f) or GCR filing. Subject to our discovery regulations, the availability of the reports discussed above does not preclude discovery on this or related historical UFG data.

#### *52 Pa. Code Section 59.111(c)(2) Reporting*

In the Proposed Rulemaking Order, we determined to develop a template for the reporting of UFG as a part of the Annual Report to maintain consistency across all NGDCs. Proposed Rulemaking Order at 4-5. We also acknowledged that NGDCs provide UFG data to the Commission in three forms and discussed how the inconsistencies and errors of the current reports interfere with our ability to fulfill our statutory mandates, *infra*. Id. at 7-8. The Proposed Rulemaking Order expressly provided that “annual reports will now mandate accurate and uniform UFG reporting.” Id. at 2. We added that we initiated the instant rulemaking to establish regulations regarding UFG reporting requirements and standards. Id. To assist in this effort, we specifically referenced the existing Gas Account—Natural Gas Schedule 505 report submitted to the Commission as a part of each NGDC’s Annual Report. Id. at 4.

While many commenters expressed strong opinions on an appropriate reporting period, discussed in detail above, none discussed how the Commission might provide the preferred August 31 reporting period and at the same time achieve the statutory mandates of the Public Utility Code. Similarly, commenters did not provide meaningful suggestions on how to ameliorate the difficulties we identified in the existing UFG reports, or suggest how to reconcile existing reports, particularly Gas Account—Natural Gas Schedule 505, with our stated goal of improved UFG monitoring.

#### *Resolution*

As we explained in the Proposed Rulemaking, and elaborate on here, the existing Gas Account—Natural Gas Schedule 505 report is insufficient to address our concerns with UFG, particularly in terms of its system-wide approach. In addition, the adoption of a UFG reporting period ending August 31, without more, would cause Schedule 505 to become unsynchronized with most, if not all, the data in the NGDC Annual Report. Furthermore, various Commission Bureaus use the granular data of Schedule 505 NGDC for purposes other than that of monitoring UFG.

Therefore, to achieve the result we seek, 52 Pa. Code Section 59.111(c)(2) will require the facility-specific UFG reports presented in Appendix A of this Order. While the templates are similar to Gas Account—Natural Gas Schedule 505, the Appendix A reports are designed to address the inconsistencies and errors that have hindered our past efforts to uniformly address UFG. The use of these templates is a reasonable means to achieve both the near-unanimous request for a reporting period end-date coinciding with low NGDC throughput, *i.e.*, August 31 and our statutory goals. NGDCs will file these reports with the Secretary’s Bureau by September 30th to report data from the prior 12 month period ending August 31.

As we discussed above, the Public Utility Code authorizes the Commission to require NGDCs to file periodic reports to inform the Commission on matters it is required to oversee. 66 Pa.C.S. § 504. While the Commission could require the Appendix A reports via Commission Order, we believe including the reporting requirement within 52 Pa. Code Section 59.111(c)(2) the better long-term approach because all natural gas market participants will be on notice of the filing requirement.

In addition, we do not intend to revise Gas Account—Natural Gas Schedule 505 as a part of this rulemaking other than to require a consistent definition for computing UFG on a system-wide basis. Maintaining Gas Account—Natural Gas Schedule 505 as a part of the NGDC Annual Reports in parallel with the reports of Appendix A will allow for enhanced analysis of UFG in service of our statutory goals. In addition, as is typical with any new performance analysis, parallel review of Appendix A and Gas Account—Natural Gas Schedule 505 will enable robust troubleshooting if unanticipated circumstances arise regarding Appendix A reports. Similarly, Appendix A data will work to inform our 66 Pa.C.S. Section 1307(f) proceedings and those proceedings may serve as a litmus to determine if the availability of Appendix A data justifies the elimination of duplicative reporting, if any. In short, while we do not eliminate the schedule at this time, we will consider revising or eliminating Gas Account—Natural Gas Schedule 505 in the future based on the results of our efforts here.

#### *52 Pa. Code Section 59.111(c)(3) Exclusion*

EAP, PECO, and Peoples commented that the Commission should retain discretion to determine that cost recovery may be allowable despite an NDGC failure to meet the metric. EAP Comments at 8. Furthermore, PECO observed that the Commission appears to be embodying an approach similar to what it adopted in its water conservation guidelines. PECO Comments at 8. Based upon proceedings in cases related to lost water, specifically *Dauphin Consolidated Water Co. v. PA. P.U.C.*, 423 A.2d 1357 (Pa. Commw. Ct. 1980), and *Pa. P.U.C. v. Fawn Lake Forest Water Company*, Docket No. R-912117 (August 31, 1992), PECO proposed that Section 59.111(c)(3) be revised to read:

Unaccounted-for-gas should be kept within reasonable levels. Levels above the applicable annual targets set forth in Section 52.111(c)(1) will be presumed to be excessive absent evidence to the contrary. IF an NGDC’s actual UFG exceeds such an applicable target, that NGDC should be prepared to demonstrate that its experience is both normal and reasonable for it

PECO Comments at 10.

OSBA commented that the proposed 52 Pa. Code Section 59.111(c)(3) will require NGDCs to identify and quantify specific uncontrollable factors that result in poor performance and show that these factors were beyond NGDC control. In its support, OSBA characterizes this as a shift in the burden of proving unreasonable UFG performance from ratepayers to NGDCs. OSBA Reply Comments at 3.

Pike is concerned that uniformly applying the proposed regulations to all NGDCs, regardless of size, could have a disproportionate adverse effect on smaller NGDCs, such as Pike. Pike urges the Commission to allow small NGDCs to exclude major nature-related (*e.g.*, floods,

storms) and third-party incidents from the UFG calculation. Pike Comments at 1-2. OSBA disagrees, stating that if a small NGDC experiences an unusual event, it should provide evidence to that effect in its annual proceeding, quantifying the impact of the event and demonstrating that the event was beyond the reasonable control of the NGDC. OSBA also states that a blanket exemption as proposed by Pike would allow smaller NGDCs to bypass the metric. OSBA Reply Comments at 5.

*Resolution*

As noted by commenters and in earlier discussions, the Commission developed the provision within 52 Pa. Code Section 59.111(c)(3) for unforeseen or uncontrollable factors. As OSBA pointed out, this provision requires the requesting NGDC to provide proof to obtain compensation for UFG levels in excess of the metric. In addition, the Commission agrees with PECO that this section was developed with a similar intent as the Commission's Water Conservation Guidelines pursuant to 52 Pa. Code Section 65.20(4). Since PECO's suggested language aligns with the Commission's intent and provides clarity, the Commission adopts the PECO language as modified below.

Unaccounted-for-gas [ **should be kept within reasonable levels.** ] levels above the applicable annual targets set forth in Section 52.111(c)(1) [ **will** ] **shall** be presumed to be excessive absent evidence to the contrary **and may not be recovered within the current or future PGC or GCR filings.** If an NGDC's actual UFG exceeds [ **such** ] an applicable target, [ **that** ] the NGDC [ **should** ] **may [ be prepared to ]** demonstrate that its level of UFG is warranted [ **experience is both normal and reasonable for it** ].

The Commission agrees with OSBA in that the events highlighted by Pike (i.e., storm, third party damage not the fault of the NGDC, etc.) are beyond the control of the NGDC and would therefore be recoverable. However, any NGDC making such a claim would need to show proof that the event negatively affected UFG performance. Adequate proof would provide enough justification to allow NGDC recovery of UFG costs in excess of that permitted by the presumption at 52 Pa. Code Section 59.111(c)(3).

*52 Pa. Code Section 59.111(c)(3) Create a Positive Incentive for Superior Performance*

In essence, Pike characterizes the UFG metric as all stick, no carrot. Pike, therefore, encourages the Commission to consider establishing positive incentives that reward NGDCs for superior performance in reducing UFG levels. Pike cited jurisdictions such as New York where such provisions are currently available. Pike Comments at 1-2.

OSBA supports incentive-sharing mechanisms for UFG reductions as such mechanisms allow some balance between penalties for poor performance and rewards for superior performance. Nevertheless, OSBA cautions that such mechanisms should be carefully developed considering future improvements in relation to past performance. Finally, OSBA iterates that while implementation of such mechanisms might be premature at this time, further studies should be done. OSBA Reply Comments at 4-5.

*Resolution*

The Commission agrees with OSBA on this issue. While some sort of incentive sharing mechanism could work to enhance UFG performance, implementation of this type of process is premature at this time.

*Metering Production*

Dominion commented that conflicts of interest can arise when an NGDC production affiliate meters its own supply. More specifically, Dominion suggested that every NGDC should be required to separately meter all gas inputs into their system through a meter that they own or control, and for which they have sole calibration and maintenance responsibility. Dominion Comments at 3. PIOGA agrees with Dominion in that NGDCs should be required to meter affiliate production, but caveats that non-affiliates should be able to meter their own production. PIOGA also asserts that this concern may align better with a rulemaking on production/gathering UFG. PIOGA Reply Comments at 2-3.

In contrast, PECO and Peoples argue in their Reply Comments that appropriate safeguards on production affiliates will ensure accuracy. In addition, both companies offer that there are cost implications to the Dominion proposal.

*Resolution*

The Commission notes that the purchase and sale of gas between or among integrated gas companies, particularly between regulated and non-regulated affiliates, is subject to enhanced regulatory oversight under 66 Pa.C.S. Sections 1317(b) and 1318(b). In addition, the Commission has identified clear policies covering the relationships between NGDCs and affiliates at 52 Pa. Code Section 69.192. The Commission generally agrees with Dominion that an NGDC should ensure the accuracy of quantities of gas entering its system. However, the Commission does not believe the only way to accomplish this is by requiring NGDCs to exercise full control over the metering of production affiliates. Thus, the Commission agrees with PECO and Peoples that there are methods, procedures, checks and balances that can provide the same level of accuracy. Moreover, 52 Pa. Code Section 59.111(b)(3) states that, "Gas received, gas delivered and adjustments must represent actual gas quantities. Estimates may be provided but must be clearly identified and have supporting justification, assumptions and calculations." The Commission also agrees that this issue may be better handled in other proceedings, as suggested by PIOGA. Therefore, the Commission believes that the regulations within Annex A addresses Dominion's concern at this time and no additional provisions to Annex A are needed.

*Benefits of Improved UFG*

ICG urges the Commission to ensure that the benefits of UFG reductions flow back to the appropriate customers. ICG contends that most transportation customers are paying retaining rates to accommodate UFG and therefore should also receive the related benefits of NGDCs' service improvements through reduced retention rates.

*Resolution*

Since retention rates are established based upon various factors including UFG, any reduction in UFG should translate into a reduction in retention rates in general. Therefore, reductions in UFG will benefit all customer classes, including transportation customers. In addition,

the proposed rulemaking states “the metric and disallowance for any ‘excess’ loss above the proposed standard would shift the financial burden of any ‘excess lost gas’ from the ratepayer to the utility.” Therefore, an NGDC, that was disallowed cost recovery for UFG in excess of the metric (cost absorbed by utility), that eventually improves to meet the metric, would also realize a cost saving by not having to pay for disallowed UFG costs. In addition, the Commission notes that any disallowed UFG recovery should not shift among rate classes, be incorporated into retention or waived retention rates, or otherwise shift into other rates.

#### *Negative Numbers Can be Reasonable*

OSBA states that negative UFG levels are possible due to metering errors and estimated adjustments for billing cycles, temperature and pressure, and so should not be automatically viewed by the Commission as inaccurate or unreasonable. OSBA Comments at 4.

PECO supports the OSBA view on negative UFG levels. According to PECO, negative UFG levels are possible based on the components mentioned by OSBA as well as the distribution system type in question. PECO, therefore, recommends that the Commission properly review all reported UFG levels, especially negative UFG levels, to ascertain the reasonableness of such levels. PECO Reply Comments at 3.

#### *Resolution*

The Commission generally agrees with both OSBA and PECO that negative UFG levels are possible due to several factors as highlighted by both OSBA and PECO. However, any negative number indicates the presence of controllable variables leading to that condition (whether or not it is prudent to eliminate the negative causing condition). Therefore, the Commission emphasizes that NGDCs should strive to minimize such errors so that negative UFG levels can be averted, if possible, in their reporting.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 11, 2011, the Commission submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 6637 (October 20, 2012), to IRRC and the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on June 19, 2013, the final-form rulemaking was deemed approved by the House and

Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 20, 2013, and approved the final-form rulemaking.

#### *Conclusion*

Accordingly, pursuant to Sections 501, 504, 523, 1301, 1501, and 1504, of the Public Utility Code, 66 Pa.C.S. Sections 501, 504, 523, 1301, 1501, and 1504, and Sections 201 and 202 of the Act of July 31, 1968, P. L. 769 No. 240, 45 P. S. §§ 1201 and 1202, and the regulations promulgated thereunder, at 1 Pa. Code Sections 7.1 and 7.2, and 7.5; Section 204(b) of the Commonwealth Attorneys Act, 71 P. S. § 732.204(b); Section 745.5 of the Regulatory Review Act, 71 P. S. § 745.5; and Section 612 of The Administrative Code of 1929, 71 P. S. § 232, and the regulations promulgated thereunder at 4 Pa. Code Sections 7.231—7.234, the Commission proposes adoption of the final-form regulations establishing a uniform definition and metric for unaccounted-for-gas, as noted and set forth in Annex A. *Therefore,*

#### *It Is Ordered That:*

1. The regulations of the Commission, 52 Pa. Code Chapter 59, are amended by adding § 59.111 to read as set forth in Annex A.

2. The Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.

3. The Secretary shall submit this Order and Annex A to the Governor’s Budget Office for review of fiscal impact.

4. The Secretary shall submit this Order and Annex A for review by the designated standing committees of both houses of the General Assembly, and for review and approval by IRRC.

5. The Secretary shall deposit this Order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and shall serve the Order on all jurisdictional natural gas distribution companies.

6. The regulations embodied in Annex A shall become effective upon publication in the *Pennsylvania Bulletin*.

7. The contact person for legal issues related to this rulemaking is Shaun A. Sparks, Law Bureau, (717) 787-3464. The contact person for technical matters for this proposed rulemaking is Nathan Paul, Bureau of Audits, (717) 214-8249. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4597.

ROSEMARY CHIAVETTA,  
*Secretary*

*(Editor’s Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 43 Pa.B. 3857 (July 6, 2013).)

**Fiscal Note:** Fiscal Note 57-289 remains valid for the final adoption of the subject regulations.

**Appendix  
Reporting Unaccounted-For-Gas**

**Distribution System**

Specify units for quantity of gas X

<b>A. Gas Received</b>	
From Production Facilities	X
From Transmission Facilities	X
From Storage Facilities	X
From Interstate Pipelines directly into the Distribution System	X
From Other Sources (i.e., propane injections, etc.)	X
Total Gas Received by the Distribution System	X
<b>B. Gas Delivered</b>	
To Customers (i.e., Transportation Residential, Commercial, Industrial, etc.)	X
To Storage	X
To Transmission System	X
Total Gas Delivered by the Distribution System	X
<b>C. Adjustment Examples</b>	
Pressure/Temperature Adjustments	X
Located & Repaired Breaks in Mains & Services	X
Company use	X
Purging/Other Construction activities	X
Heat Content	X
Meter Read Cycle Adjustments	X
Other	X
Total Adjustments	X
<b>D. Distribution UFG</b>	
Total	A-B-C
<b>E. Percent UFG</b>	
Percentage	(D/A)*100%

*Note:* Additional categories can be added in sections A, B and C. However, a brief explanation of the added field is needed.

**Transmission System Losses**

Specify units for quantity of gas X

<b>A. Gas Received</b>	
From Interstate Pipelines	X
From Storage	X
From Distribution System	X
From Production/Gathering System	X
From Other	X
Total Gas Received by the Transmission System	X
<b>B. Gas Delivered</b>	
To Distribution System	X
To Customers/sold	X
To Interstate Pipeline	X
To Storage	X
Total Gas Delivered by the Transmission System	X



<i>C. Adjustment Examples</i>	
Pressure/Temperature Adjustments	X
Located & Repaired Breaks in Mains & Services	X
Company use	X
Purging/Other Construction activities	X
Heat Content	X
Meter Read Cycle Adjustments	X
Other	X
Total Adjustments	X
<i>D. Production Facility UFG</i>	
Total	A-B-C
<i>E. Percent UFG</i>	
Percentage	(D/A)*100%

*Note:* Additional categories can be added in sections A, B and C. However, a brief explanation of the added field is needed.

#### Storage System

Specify units for quantity of gas X

<i>A. Gas Received</i>	
From Production Facilities	X
From Transmission Facilities	X
From Distribution Facilities	X
From Interstate Pipelines directly into the Distribution System	X
Total Gas Received by the Storage System	X
<i>B. Gas Delivered</i>	
To Transmission System	X
To Distribution System	X
To other facilities	X
Sold	X
Total Gas Delivered by the Storage System	X
<i>C. Adjustment Examples</i>	
Company use	X
Storage Migration (+/-)	X
Heat Content	X
Located & Repaired Breaks	X
Other	X
Total Adjustments	X
<i>D. Storage UFG</i>	
Total	A-B-C
<i>E. Percent UFG</i>	
Percentage	(D/A)*100%

*Note:* Additional categories can be added in sections A, B and C. However, a brief explanation of the added field is needed.

**Production/Gathering System Losses**  
Specify units for quantity of gas

X

<b>A. Gas Received</b>	
From Production Wells	X
From Other Gathering Systems	X
Total Gas Received by the Production/Gathering System	X
<b>B. Gas Delivered</b>	
To Distribution System	X
To Customers/sold	X
To Transmission System	X
Total Gas Delivered by the Production/Gathering System	X
<b>C. Adjustment Examples</b>	
Pressure/Temperature Adjustments	X
Located & Repaired Breaks in Mains & Services	X
Company use	X
Purging/Other Construction activities	X
Heat Content	X
Meter Read Cycle Adjustments	X
Other	X
Total Adjustments	X
<b>D. Production Facility UFG</b>	
Total	A-B-C
<b>E. Percent UFG</b>	
Percentage	(D/A)*100%

Note: Additional categories can be added in sections and C. However, a brief explanation of the added field is needed.

**Annex A**  
**TITLE 52. PUBLIC UTILITIES**  
**PART I. PUBLIC UTILITY COMMISSION**  
**Subpart C. FIXED SERVICE UTILITIES**  
**CHAPTER 59. GAS SERVICE**  
**UNACCOUNTED-FOR-GAS**

**§ 59.111. Unaccounted-for-gas.**

(a) *Definitions.* The following words and terms, when used in this section, have the following meanings, unless the text clearly indicates otherwise:

*Adjustments*—Gas used by an NGDC or city natural gas distribution operation for safe and reliable service, such as company use, calculable losses from construction, purging, storage migration, other temperature and pressure adjustments, and adjustments for heat content of natural gas.

*Gas delivered*—Gas provided by the distribution, transmission, storage or production/gathering facilities of an NGDC or city natural gas distribution operation, regardless of use, adjusted for temperature or pressure variations. This category includes quantities of gas consumed by an end user, exchange gas supplied to another utility, gas delivered to transportation customers or other gas delivered to a user other than the utility. When bill timing issues arise, an effort shall be made to reasonably estimate consumption.

*Gas received*—Gas that is supplied to the distribution, transmission, storage or production/gathering facilities of an NGDC or city natural gas distribution operation, regardless of use, adjusted for temperature or pressure variations. This category includes gas for sales, storage, transportation quantities, exchange gas received or other quantity of gas that otherwise enters the utility’s facilities.

*NGDC*—Natural gas distribution company.

*UFG—Unaccounted-for-gas*—The difference between the total gas available from all sources and the total gas accounted for as sales, net interchange and company use. This difference includes leakage or other actual losses, discrepancies due to meter inaccuracies, variations of temperatures or pressures, or both, and other variants, particularly billing lag.

(b) *Calculation.*

(1)  $UFG_x = \text{Gas Received}_x - \text{Gas Delivered}_x - \text{Adjustments}_x$

(2)  $\%UFG_x = (UFG_x / \text{Gas Received}) * 100$

(3) X denotes the system type (distribution, transmission, storage or production/gathering). When possible, UFG must be computed and reported by system type.

(4) Gas received, gas delivered and adjustments must represent actual gas quantities. Estimates may be provided but must be clearly identified and have supporting justification, assumptions and calculations.

(5) Adjustments must be individually identified by category (such as company use, calculable losses from

construction, purging, storage migration, other temperature and pressure adjustments, and adjustments for heat content of natural gas). Adjustments must be supported by metered data, sound engineering practices or other quantifiable results that clearly support the utility's need for the adjustment. Adjustments must be consistent from filing to filing.

(6) The definition of "UFG" in subsection (a) and the calculation under this subsection apply to UFG filed with the Commission.

(c) *Metrics for distribution system losses.*

(1) Each NGDC and city natural gas distribution operation shall, at a minimum, reduce distribution system loss performance in accordance with the metrics in the following table, beginning with its first subsequent Purchased Gas Cost (PGC) or Gas Cost Rate (GCR) filing after August 11, 2014. The metric starts with 5% in the first year and decreases by 0.5% every year in the subsequent years until it reaches 3% as shown in the following table:

<i>Year</i>	<i>Percent UFG</i>
1	5.00%
2	4.50%
3	4.00%
4	3.50%
5	3.00%

(2) The distribution metrics shall be applied on an annual basis for the 12 months ending August 31. UFG reports, as described by the Commission and relating to this section, shall be filed by September 30th of each year.

(3) UFG levels above the applicable annual targets in paragraph (1) shall be presumed to be excessive absent evidence to the contrary and may not be recovered within the current or a future PGC or GCR filing. If an NGDC's actual UFG exceeds an applicable target, the NGDC may demonstrate that its level of UFG is warranted.

[Pa.B. Doc. No. 13-1476. Filed for public inspection August 9, 2013, 9:00 a.m.]

# PROPOSED RULEMAKINGS

## DEPARTMENT OF PUBLIC WELFARE

[ 55 PA. CODE CH. 1187 ]

### Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities

The Department of Public Welfare (Department), under the authority of sections 201(2), 206(2), 403(b) and 443.1 of the Public Welfare Code (62 P.S. §§ 201(2), 206(2), 403(b) and 443.1), proposes to amend § 1187.94 (relating to peer grouping for price setting) to read as set forth in Annex A.

#### *Purpose of Proposed Rulemaking*

The purpose of this proposed rulemaking is to change the Department's methods and standards for payment of Medical Assistance (MA) nursing facility services provided by special rehabilitation facilities (SRF) effective November 1, 2011. The proposed rulemaking is needed to amend the manner in which the peer group medians and peer group prices are set for facilities classified as SRFs as defined in § 1187.2 (relating to definitions).

The Department is proposing to amend § 1187.94 to provide for a distinct method of calculating peer group medians and prices between the initial four SRFs and the facilities classified as SRFs after 2000. Specifically, the Department is proposing to establish two different formulae for calculating peer group medians and prices for SRFs.

#### *Background*

Currently, the MA Program pays for nursing facility services provided to MA-eligible recipients in SRFs at per diem rates that are computed using the case-mix payment system in Chapter 1187, Subchapter G (relating to rate setting). The case-mix rates for SRFs are calculated using the same methodology as other nonpublic nursing facilities except that, for the purposes of establishing peer group medians and prices, SRFs are classified in one Statewide peer group without regard to their size or geographic location. Hospital-based nursing facilities are also classified in a Statewide peer group in § 1187.94. For a nursing facility to be classified in the SRF peer group, more than 70% of the nursing facility's residents must have a neurological/neuromuscular diagnosis and severe functional limitations. See § 1187.2.

When the case-mix system was implemented on January 1, 1996, three nursing facilities were approved as SRFs. In addition, a nursing facility related to one of the original three SRFs was approved in 2000. Between 2004 and 2008, the Department recognized and approved four other nursing facilities as SRFs because they met the existing SRF definition. These four nursing facilities tend to specialize in care for ventilator-dependent residents rather than the type of resident care provided by the SRFs initially approved. A public notice was published at 41 Pa.B. 5826 (October 29, 2011) in which the Department announced it was considering changing its methods and standards for payment of MA nursing facility services provided by SRFs.

In addition, this proposed amendment is consistent with the currently approved State Plan. State Plan Amendment 11-028 was submitted by the Department on

December 28, 2011. It was approved by the Centers for Medicare and Medicaid Services on March 13, 2012, and effective November 1, 2011.

#### *Requirements*

Peer group medians and prices will be established for facilities classified as SRFs on or before July 1, 2000, separate from other facilities meeting the definition of "SRF." The methodology used to establish peer group medians and prices for facilities classified as SRFs after July 1, 2000, will not change. The four nursing facilities classified as SRFs after July 1, 2000, as well as nursing facilities classified as an SRF in the future, will continue to have peer group medians and prices established using data from all facilities meeting the definition of SRF.

#### *Affected Individuals and Organizations*

This proposed rulemaking will primarily affect the initial SRFs enrolled in the MA Program. This change in rate methodology will provide three of the four initial SRFs an estimated additional \$0.739 million in revenue for the period November 1, 2011, through June 30, 2012. For Fiscal Year (FY) 2012-2013 and beyond, this change in rate methodology will provide an estimated decrease of \$1.684 million in revenue for the initial four SRFs. Other nonpublic nursing facilities may see a minimal positive impact estimated to be an average of 9¢ per bed day or \$2,458 per nonpublic nursing facility for FY 2012-2013. This change does not adversely impact the facilities classified as SRFs after July 1, 2000.

#### *Accomplishments and Benefits*

This proposed rulemaking will provide a distinct method of calculating peer group medians and prices between the initial four SRFs and the facilities classified as SRFs after 2000. In addition, this change will ensure that residents with chronic impairments continue to have access to medically necessary nursing facility services.

#### *Fiscal Impact*

The estimated fiscal impact for the proposed change in payment rates related to the four special rehabilitation nursing facilities for the period of November 1, 2011, through June 30, 2012, is \$0.331 million in State funds. The estimated fiscal impact for FY 2013-2014 and beyond is \$0.770 million in State funds assuming use of a budget adjustment factor (BAF) is not reauthorized. The application of a BAF in the nursing facility rate setting process ensures that nursing facility payment rates are limited to the percentage rate of change permitted by the funds appropriated by the General Assembly. Additional funding was added to the FY 2011-2012 nursing facility appropriation so that this change in peer group methodology would not be a factor in the quarterly BAF calculations for the November 1, 2011, through June 30, 2012, period as specified in the Commonwealth's currently approved State Plan.

#### *Paperwork Requirements*

There are no new or additional paperwork requirements.

#### *Effective Date*

The proposed effective date is November 1, 2011.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed

rulemaking to Marilyn Yocum, Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, P.O. Box 8025, Harrisburg, PA 17106-8025 within 30 calendar days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference Regulation No. 14-537 when submitting comments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

*Regulatory Review Act*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 31, 2013, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Human Services and the Senate Committee on Public Health and Welfare. A copy of this material is available to the public upon request.

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

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-537. (1) General Fund; (2) Implementing Year 2011-12 is \$331,000; (3) 1st Succeeding Year 2012-13 is \$0; 2nd Succeeding Year 2013-14 is \$0; 3rd Succeeding Year 2014-15 is \$0; 4th Succeeding Year 2015-16 is \$0; 5th Succeeding Year 2016-17 is \$0. The fiscal impact for 2012-13 and beyond assumes that the budget adjustment factor provided for in section 443.1 of the Public Welfare Code, which expires June 30, 2012, is not reauthorized beyond that date. (4) 2008-09 Program—\$672,597,000; 2009-10 Program—\$540,266,000; 2010-11 Program—\$728,907,000; (7) MA—Long-Term Care; (8) recommends adoption. The 2012-13 enacted budget assumes no fiscal impact as a result of this rulemaking.

**Annex A**

**TITLE 55. PUBLIC WELFARE**

**PART III. MEDICAL ASSISTANCE MANUAL  
CHAPTER 1187. NURSING FACILITY SERVICES**

**Subchapter G. RATE SETTING**

**§ 1187.94. Peer grouping for price setting.**

To set net operating prices under the case-mix payment system, the Department will classify the nursing facilities participating in the MA Program into 14 mutually exclusive groups as follows:

\* \* \* \* \*

(2) To set net operating prices under the case-mix payment system, the Department will classify the nursing facilities participating in the MA Program that meet the definition of a special rehabilitation facility into one peer group, peer group number 13. Regardless of the number of facilities in this peer group, the Department will not collapse the peer group of special rehabilitation facilities.

**(i) Effective November 1, 2011, the Department will establish peer group medians and prices for facilities classified as special rehabilitation facilities on or before July 1, 2000, by using data from only the nursing facilities classified as special rehabilitation facilities on or before July 1, 2000.**

**(ii) Effective November 1, 2011, the Department will establish peer group medians and prices for facilities classified as special rehabilitation facilities after July 1, 2000, by using data from all nursing facilities classified as special rehabilitation facilities.**

(3) To set net operating prices under the case-mix payment system, the Department will classify the nursing facilities participating in the MA Program that meet the definition of a hospital-based nursing facility into one peer group, peer group number 14. Regardless of the number of facilities in this peer group, the Department will not collapse the peer group of hospital-based nursing facilities.

\* \* \* \* \*

[Pa.B. Doc. No. 13-1477. Filed for public inspection August 9, 2013, 9:00 a.m.]

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# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Pennsylvania State Police

The Executive Board approved a reorganization of the Pennsylvania State Police effective July 24, 2013.

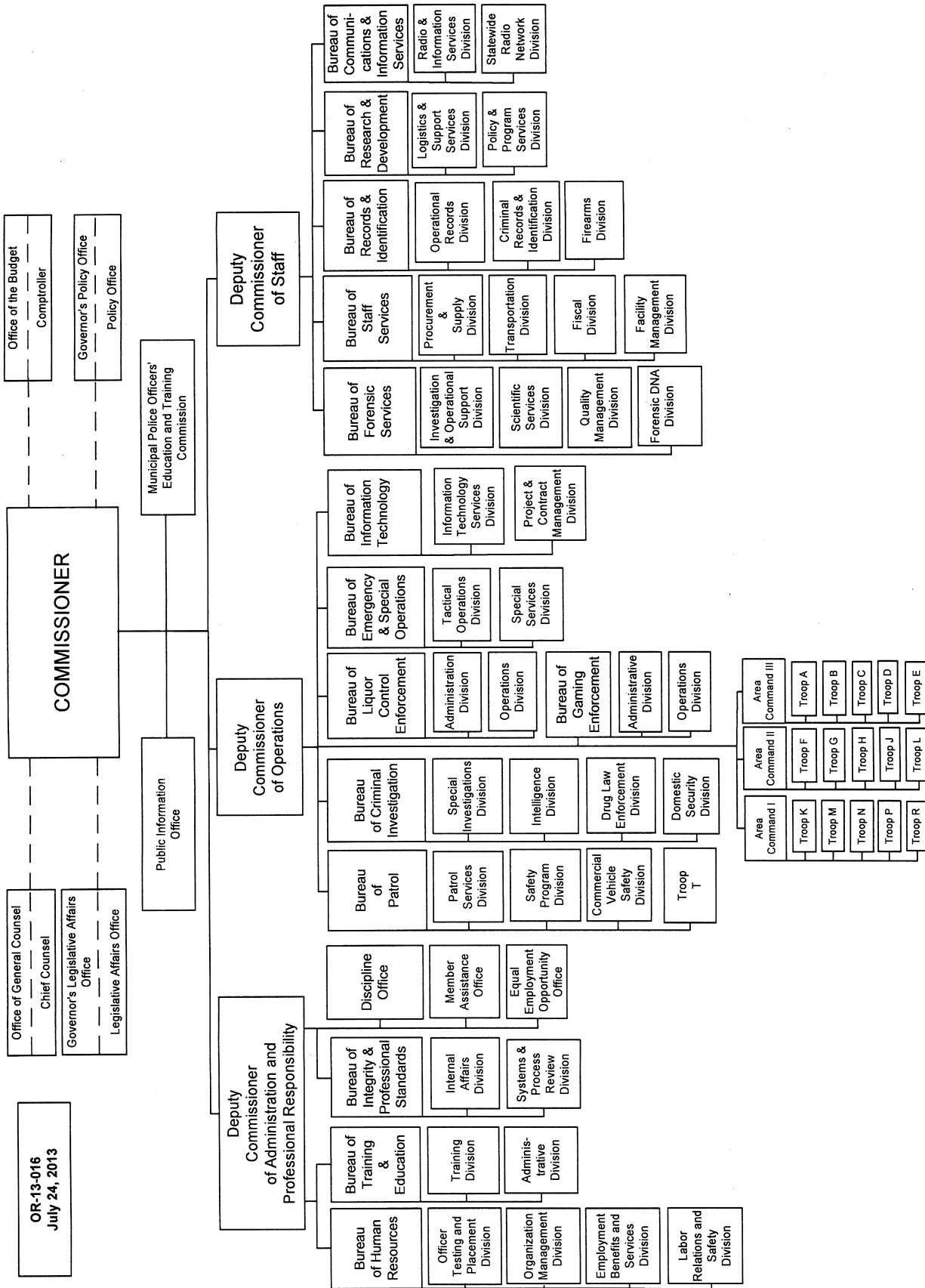
The organization chart at 43 Pa.B. 4602 (August 10, 2013) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 13-1478. Filed for public inspection August 9, 2013, 9:00 a.m.]

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PENNSYLVANIA STATE POLICE



OR-13-016  
July 24, 2013

# NOTICES

## BOARD OF COAL MINE SAFETY

### Subcommittee Meeting

The Board of Coal Mine Safety has formed a subcommittee to develop standards for promulgation as a rule-making concerning surface facilities associated with underground bituminous coal mines. The subcommittee will meet on Tuesday, August 20, 2013, at 10:30 a.m. in the Cambria District Mining Office, Second Floor Conference Room, 286 Industrial Park Road, Ebensburg, PA. A meeting agenda and meeting materials for the August 20, 2013, subcommittee meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation," "Advisory Committees" and "Board of Coal Mine Safety").

Questions concerning the Board's subcommittee meeting may be directed to Allison D. Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7289, [agaida@pa.gov](mailto:agaida@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Acting Chairperson*

[Pa.B. Doc. No. 13-1479. Filed for public inspection August 9, 2013, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6710 (relating to commercial value), establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	\$0.53 per pound
Available phosphate	\$0.51 per pound
Soluble potash	\$0.48 per pound

#### *Further Information*

Further information is available by contacting David Dressler, Agronomic Program Specialist, Bureau of Plant Industry, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5215.

#### *Effective Date*

These commercial values are effective beginning July 1, 2013, and shall remain effective until further notice.

GEORGE D. GREIG,  
*Secretary*

[Pa.B. Doc. No. 13-1480. Filed for public inspection August 9, 2013, 9:00 a.m.]

# DEPARTMENT OF BANKING AND SECURITIES

## Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of 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 July 30, 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

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-26-2013	Riverview Financial Corporation Halifax Dauphin County	Approved
	Application for approval to acquire 100% of Union Bancorp, Inc., Pottsville, and thereby indirectly acquire 100% of Union Bank and Trust Company, Pottsville.	



**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-26-2013	Riverview Bank Marysville Perry County  Application for approval to merge Union Bank and Trust Company, Pottsville, with and into Riverview Bank, Marysville.	Approved

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-25-2013	Mauch Chunk Trust Company Jim Thorpe Carbon County	1331 Clamtown Road Tamaqua Schuylkill County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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. 13-1481. Filed for public inspection August 9, 2013, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

**2013 Action Plan Amendment**

The Department of Community and Economic Development (Department) proposes to amend the Commonwealth's Action Plan for Federal Fiscal Year (FFY) 2013 and the Program Year that started on January 1, 2013. The 2013 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2009-2013.

The 2013 Action Plan updates documents previously submitted to the United States Department of Housing and Urban Development (HUD). These documents include the nonhousing community development plan and any changes that the Department may have implemented concerning the HUD programs administered by the Commonwealth. The Federal programs administered by the Department are the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Solutions Grant (ESG), Housing Opportunities for People with AIDS (HOPWA), Neighborhood Stabilization Program and Community Development Block Grant—Disaster (CDBG-DR). This plan was submitted to HUD's

Philadelphia Field Office on January 15, 2013, and may be found on the Department's web site at [http://www.newpa.com/webfm\\_send/2928](http://www.newpa.com/webfm_send/2928).

This notice is to inform the citizens, local governmental officials and interested organizations of this Commonwealth that a minor amendment is being made to the 2013 Action Plan as submitted. This amendment does not constitute a substantial amendment as described in the Commonwealth of Pennsylvania's Citizen Participation Plan to Develop the Consolidated Plan and Related Documents. This has been determined because the amendment only identifies the actual allocations for the HUD funded programs, as they are listed. There is no change in priorities of the programs listed, the goal statements or method of distribution of HUD funds.

*Amendment*

On May 29, 2013, HUD's Community Planning and Development Office announced the formula funding allocations for 2013. This announcement identified the actual funding amounts the 2013 Formula Grants received by the Commonwealth, will realize. The amounts listed in the original Action Plan were estimates based on the previous year's allocations. The following is the actual 2013 Formula Funding Allocations for the Commonwealth, along with the difference each grant realizes based on the original Action Plan's estimates.

<i>Program</i>	<i>As Stated in 2013 Action Plan</i>	<i>Actual Allocation</i>	<i>Difference</i>
CDBG	\$37,539,123	\$38,870,107	+\$1,330,984*
HOME	\$15,270,356	\$13,994,674	-\$1,275,682)
ESG	\$6,397,955	\$4,470,457	-\$1,927,498)

<i>Program</i>	<i>As Stated in 2013 Action Plan</i>	<i>Actual Allocation</i>	<i>Difference</i>
HOPWA	\$1,910,722	\$1,256,305	-\$654,417)
CDBG-DR	\$27,142,501 (2012)	\$29,986,000 (2013)	**

\* Amount is anticipated to be reduced by \$1,213,800 due to a repayment to HUD for an activity found to be ineligible during a 2012 monitoring. This leaves an actual amount to be allocated to activities at \$37,656,307.

\*\* The new amount in this amendment is for a second allocation of funding for the CDBG Disaster Recovery Program. The original amount listed will continue to be allocated as indicated in its Action Plan of July 13, 2012. The additional allocation will have its own Substantial Action Plan which will be submitted to HUD by September 1, 2013.

The amendment will be made available after August 10, 2013, at <http://www.newpa.com/community/documents-publications> or by contacting the Department's Center for Community Financing at (717) 787-5327.

Questions or comments on this amendment may be directed to Mary J. Smith, Chief of the Technical Support and Program Development Division, (717) 214-9754 or [majsmith@pa.gov](mailto:majsmith@pa.gov).

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 13-1482. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Draft Action Plan for Community Development Block Grant—Disaster Recovery; 2013 Allocation

There is a public comment period to review the draft Action Plan prepared by the Commonwealth for Fiscal Year 2013 Community Development Block Grant—Disaster Recovery (CDBG-DR) funds. The public comment period is from August 10, 2013, through August 19, 2013.

The United States Department of Housing and Urban Development (HUD) issued a notice 78 FR 32262 (May 29, 2013) which awarded \$29,986,000 of additional CDBG-DR funds to the Commonwealth to be administered by the Department of Community and Economic Development (Department). The notice published at 78 FR 32262 requires the Commonwealth to notify and provide its citizens an opportunity to comment and provide input on the draft Action Plan and/or any substantial amendment to the Action Plan.

The purpose of the additional CDBG-DR program provides for the purpose of assisting recovery in the most impacted and distressed areas declared a major disaster in 2011 or 2012. The allocations for this funding were based on a review of the impacts from Presidentially-declared disasters that occurred in 2011 or 2012 (excluding Hurricane Sandy) and estimates of remaining unmet need. These funds are separate and distinct from the annual allocation of CDBG funds.

The draft Action Plan and supporting documentation is available for a 7-day public comment period and can be viewed on the Department's web site under the CDBG-DR section at <http://www.newpa.com/community/documents-publications/cdbg-dr>. The draft is also made available to the Tri-County Branch of the Pennsylvania Association of the Blind for transfer to electronic media. The text is available to hearing-impaired persons by means of the Department's web site at the link listed previously. A translation into Spanish is also available on the Department's web site. The final version of the Action Plan will be submitted to HUD no later than September 3, 2013.

Persons who would like to provide written comment on the draft Action Plan may send those comments to Mary J. Smith, Department of Community and Economic Development, Center for Community Financing, 400 North

Street, 4th Floor, Harrisburg, PA 17120 or [majsmith@pa.gov](mailto:majsmith@pa.gov). Comments must be received before 5 p.m. on August 19, 2013.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 13-1483. Filed for public inspection August 9, 2013, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Request for Bids

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

*FDC-306-7822.4—Electrical Construction, WTP Upgrades, Gifford Pinchot State Park, Warrington Township, York County.* Work included under this contract consists of the replacement of existing system PLC components, upgrades system communications from DH+ to Ethernet CAT 5e, new software including control strategy development and programming at the Gifford Pinchot State Park Water Treatment Plant.

*FDC-226-7030.1—Linesville Sewage Treatment Plant Demolition, Pymatuning State Park, Pine Township, Crawford County.* Work included under this contract consists of construction to demolish the existing Linesville State Park Sewage Treatment Plant and replacement of sewer lines within the Linesville State Park Day Use Area.

Bid documents will be available on or after August 7, 2013. The bid opening will be held on September 5, 2013.

ELLEN FERRETTI,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1484. Filed for public inspection August 9, 2013, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

#### I. NPDES Renewal Applications

*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>
PA0087998 (Sew)	Urban Acres Mobile Home Park 35 Ridge Drive Fleetwood, PA 19522	Berks County Alsace Township	Bernhart Creek / 3-C	Y

*Northcentral Regional: 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>
PA0229237	Clearfield Municipal Authority Water System One Pennfield Road Clearfield, PA 16830-2405	Clearfield County, Lawrence Township	Moose Creek (8-B)	Y
PA0112381 (Sewage)	Madison Estates MHP 1947 Millville Road Bloomsburg, PA 17815	Columbia County Madison Township	Little Fishing Creek (5-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0210617 (Sewage)	Evergreen MHP Road 1 Mathews Road Edinburg, PA 16116	Lawrence County Mahoning Township	Unnamed Tributary to Shenango River (20-A)	Y
PA0220779 (Sewage)	Springfield Village MHP 13079 Ridge Road, P.O. Box 201 West Springfield, PA 16443-9732	Erie County Springfield Township	Unnamed Tributary to Raccoon Creek (15-A)	Y

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

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

**PA0265861**, Sewage, SIC Code 4952, **Melvin Spahr**, 532 Highland Avenue, Carlisle, PA 17013. Facility Name: Spahr SR STP. This proposed facility is located in Middlesex Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Spring Run, is located in State Water Plan watershed 7-B 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.

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

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.

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

**PA0093149**, Industrial Waste, SIC Code 0182, **Creekside Mushrooms Ltd**, 1 Moonlight Drive, Worthington, PA 16262-9730. Facility Name: Creekside Mushrooms. This existing facility is located in West Franklin Township, **Armstrong County**.

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

The receiving stream(s), Buffalo Creek and Unnamed Tributary of Buffalo Creek, is located in State Water Plan watershed 18-F and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.07 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.17
CBOD <sub>5</sub>	14.6	29.2	XXX	25	50	63
Total Suspended Solids	14.6	29.2	XXX	25	50	63
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	XXX
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	2.9	5.8	XXX	5	10	13
Nov 1 - Apr 30	8.8	17.5	XXX	15	30	38
Total Aluminum	2.3	4.7	XXX	4.0	8.0	10.0
Total Iron	0.58	1.2	XXX	2.0	4.0	5.0
Total Manganese	1.2	2.3	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are for a storm water discharge only.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.64	1.0	XXX

The proposed effluent limits for Outfall 003 are for a storm water discharge only.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 004 are for a storm water discharge only.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.64	1.0	XXX

The proposed effluent limits for Outfall 005 are for a storm water discharge only.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 006 are for a storm water discharge only.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	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.

**PA0001864**, Industrial Waste, SIC Code 2032, **Bay Valley Foods LLC**, 1080 River Avenue, Pittsburgh, PA 15212. Facility Name: Bay Valley Foods, LLC. This existing facility is located in Pittsburgh City, **Allegheny County**.

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

The receiving stream, Allegheny River, is located in State Water Plan watershed 18-A 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 101 are based on a design flow of 1.4 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.25
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
CBOD <sub>5</sub>	236	474	XXX	14	28	XXX
Total Suspended Solids	200	351	XXX	12	21	XXX

Stormwater discharges via Outfalls 001, 002 and 003 shall consist entirely of uncontaminated stormwater runoff.

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

The EPA Waiver is in effect.

**PA0026581**, Sewage, SIC Code 4952, **Westmoreland Fayette Municipal Sewer Authority**, PO Box 126, Scottdale, PA 15683-0126. Facility Name: Scottdale STP. This existing facility is located in East Huntingdon Township, **Westmoreland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.5 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
CBOD <sub>5</sub>						
May 1 - Oct 31	208	312	XXX	10	15	20
Nov 1 - Apr 30	417	625	XXX	20	30	40
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	625	938	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	63	94	XXX	3.0	4.5	6.0
Nov 1 - Apr 30	167	250	XXX	8.0	12.0	16.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- The Authority is permitted to discharge through various Combined Sewer Overflows in accordance with their Long Term control Plan.

- The Authority is permitted to discharge uncontaminated stormwater from the sewage treatment plant site.

The EPA Waiver is not in effect.

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

**PA0272701**, Sewage, **Corydon Township**, 2474 W Washington Street, Bradford, PA 16701-2415. Facility Name: Corydon Township Building SFTF. This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a small flow treatment facility.

The receiving stream, Willow Creek, is located in State Water Plan watershed 16-B and is classified for High Quality 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 0.0006 MGD.

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

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

- Prohibition of Stormwater Discharges
- Effluent Chlorine Minimization
- Department Revocation of Permit
- Treatment Unit Cleaning Requirement
- Malfunctioning Treatment System or Change in Conditions
- Compliance with Permit Conditions and Conditions set forth in the AMR

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

**WQM Permit No. WQG02231310**, Sewage, **Concord Township Sewer Department**, 43 Thornton Road, Glen Mills, PA 19342.

This proposed facility is located in Concord Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a sewer extension.

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

**WQM Permit No. 0713402**, Sewerage, **Reliance Bank**, 1119 12th Street, PO Box 1958, Altoona, PA 16601.

This proposed facility is located in Freedom Township, **Blair County**.

Description of Proposed Action/Activity: Proposing the approval and installation of an SFTF on a .159 acre lot to be occupied by a single family dwelling. This disposal system will replace an existing malfunctioning on-lot system.

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

**WQM Permit No. 5686402-A3**, Sewerage, **Shade Central City Jt Auth**, 429 Sunshine Ave, Central City, PA 15926

This existing facility is located in Shade Twp, **Somerset 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. WQG02101302**, Sewage, **Slippery Rock Municipal Authority**, 633 Kelly Boulevard, Slippery Rock, PA 16057.

This proposed facility is located in Slippery Rock Borough, Butler County.

Description of Proposed Action/Activity: Application for permit to replace current lift station serving Applewood Meadows Estates.

**WQM Permit No. WQG01431303**, Sewage, **Kristin E. Skelley-Richards**, 909 Smith Avenue, Hermitage, PA 16148.

This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. 4208403**, Sewage, **Gene A. Strick**, 641 Clermont Road, Mount Jewett, PA 16740.

This existing facility is located in Hamlin Township, **McKean County**.

Description of Proposed Action/Activity: Transfer of permit for a Single Residence Sewage Treatment Plant from Roger D. & Karen Summerlin to Gene A. Strick.

**WQM Permit No. 1094408**, Sewage, **Tad W. Beals**, 294 Branchton Road, Slippery Rock, PA 16057-3106.

This existing facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: Transfer of permit for a Small Flow Treatment Facility from Kelley L. and Patrick W. McGowan to Tad W. Beals.

**WQM Permit No. WQG01251309**, Sewage, **Andrew Urbaniak**, 6263 Knoyle Road, Erie, PA 16510

This proposed facility is located in Greene Township, **Erie County**

Description of Proposed Action/Activity: Small Flow Treatment Facility

**WQM Permit No. 6182201**, Industrial Waste, **Amendment, Fluid Recovery Services, LLC**, P.O. Box 232, Creekside, PA 15732.

This existing facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: Application to amend existing WQM permit to address interim changes to equipment and operation of Fluid Recovery Services- Franklin Facility.

**WQM Permit No. WQG018443**, Sewage, **Transfer, Rodney R. Shipton**, 282 Donation Road, Greenville, PA 16125-8008.

This existing facility is located in Hempfield Township, **Mercer County**.

Description of Proposed Action/Activity: Transfer of permit for a Single Residence Sewage Treatment Plant to Rodney R. Shipton from Laverne Bovard.

**WQM Permit No. WQG01201302**, Sewage, **Meadville Medical Center**, 751 Liberty Street, Meadville, PA 16335.

This proposed facility is located in East Mead Township, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.



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


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


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*Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre PA 18701-1915, Telephone: (570) 826-2511.*

**PAI132248**, MS4, **Catasauqua Borough Lehigh County**, 118 Bridge Street, Catasauqua, PA 18032-2598. 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 Catasauqua Borough, **Lehigh County**. The receiving stream(s), Lehigh River (TSF, MF), Catasauqua Creek (HQ-CWF, MF) and Unnamed Tributary to Catasauqua Creek (HQ-CWF, MF), are located in State Water Plan watershed 2-C.

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 570-826-5472.

The EPA waiver is not 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>
PAI010913004	Marc Solt 2519 Camp Rock Hill Road Quakertown, PA 18951	Bucks	Milford Township	Unami Creek HQ-TSF
PAI011513017	Charnwood Property Group, LLC P.O. Box 459 Harleysville, PA 19438	Chester	East Vincent Township	Unnamed Tributary to Schuylkill River North and South HQ-TSF-MF
PAI011513008	Meadowview Land, LP 1356 Monk Road Gladwyne, PA 19035	Chester	West Bradford Township	Broad Run EV
PAI011513016	The Vanguard Group 1041 West Valley Road Wayne, PA 19087-1819	Chester	East Whiteland and Tredyffrin Townships	Little Valley Creek EV
PAI011513018	Hope Batchelor 1765 Spring House Road Chester Springs, PA 19425	Chester	West Pikeland Township	Unnamed Tributary to Pine Creek HQ-TSF
PAI011513019	Provco Pineville Kennett, L.P. 795 E. Lancaster Avenue Suite 200 Villanova, PA 19085	Chester	East Marlborough Township	Unnamed Tributary to E. Branch Red Clay Creek TSF
PAI014613008	Ambler Crossings 201 S Maple Avenue Suite 100 Ambler, PA 19002	Montgomery	Ambler Borough	Wissahickon Creek TSF-MF
PAI014613007	Bruce Goodman 636 Old York Road Jenkintown, PA 19046	Montgomery	Abington Township	Pennypack TSF
PAI015113009	Southern Land Company, LLC 1550 W. McEwen Drive, Suite 200 Franklin, TN 37067	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Luzerne County Conserve District, 325 Smiths Pond Road, Shavertown, Pa 18708, 570-674-7991*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024013003	Homeworkz Construction c/o Brad Nilsson 123 Broadway Road Sweet Valley, PA 18656	Luzerne	Harveys Lake Borough	Harveys Lake (HQ-CWF, 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>
PAI036713001	PPL Electric Utilities 1639 Church Road Allentown, PA 18104	York	Chanceford, East Hopewell and Hopewell Townships	South Ford Otter Creek (WWF, MF); West Branch Toms Run (TSF); North Branch Muddy Creek (CWF, MF); South Branch Muddy Creek (HQ-CWF, MF); Leibs Creek (HQ-CWF, MF); Deer Creek (CWF)

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

*Erie County Conservation District, 1927 Wager Road, Erie PA 16509*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062513001	Erie Metro Transit Authority 127 East Fourteenth Street Erie PA 16503	Erie	Erie City	Millcreek to Presque Isle Bay WWF

*Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI090413001	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Beaver County	Darlington Township & Big Beaver Borough	McCautry Run, HQ-CWF, North Fork Little Beaver Creek, HQ-CWF, & Unnamed Tributary to North Fork Little Beaver Creek, HQ-CWF

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

PAG-12 CAFOs

**CAFO Notices of Intent Received**

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

**PAG123671, CAFO, Adam Martin Jr., Adam Martin Egg Ranch, 390 Midway Road, Bethel, PA 19507.** This proposed facility is located in Bethel Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Renewal application for 205 AEU Poultry (layer) operation.

The receiving stream, UNT Little Swatara Creek, is in watershed 7-D, and classified for: CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**STATE CONSERVATION COMMISSION**

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

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

NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
James Hershey 338 Sunnyburn Road Elizabethtown, PA 17022	Lancaster	381.7	747.45	Swine / Poultry	None	Renewal
Alan Harnish 3421 Blue Rock Road Lancaster, PA 17603	Lancaster	47	572.92	Swine	NA	Renewal
Noah W Kreider & Sons LLP Middletown Facility 1461 Lancaster Road Manheim, PA 17545	Dauphin	400	6,772.5	Layers	NA	Renewal
Joe Jurgielewicz and Sons, Ltd. 1016 Plum Creek Road Sunbury, PA 17801	Northumberland	60.2	80.1	Finishing Ducks	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER**

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

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

<b>Permit No. WA-09-959A</b> , Public Water Supply	
Applicant	<b>Warrington Township</b>
Township	Warrington
County	<b>Bucks</b>
Responsible Official	K. Fred Achenbach, Director Warrington Township Water & Sewer Department 852 Easton Road Warrington, PA 18976-1413
Type of Facility	PWS

Consulting Engineer Martin L. Kepner, P.E.  
Carroll Engineering Corporation  
949 Easton Road  
Warrington, PA 18976-1880

Application Received Date July 15, 2013

Description of Action Application for a subsidiary water allocation permit to increase the amount of water allocated to Warrington Township from the North Wales Water Authority.

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

**Application No. 3513502**, Public Water Supply.

Applicant **Pennsylvania American Water Co.**

[Township or Borough] Jefferson Twp,  
**Lackawanna County**

Responsible Official David Kaufman  
800 West Hershey Park Drive  
Hershey, PA 17033

Type of Facility Community Water System  
(Lake Spangenberg)

Consulting Engineer URS Corporation  
Evan Andrews, P.E.  
4051 Ogletown Road  
Newark, DE 19713

Application Received Date March 13, 2013

Description of Action Improvements to one well house to consolidate treatment facilities for all three wells and add high service pumps and a clearwell. Renovations to each well including new pumps, pitless units, and piping.

#### 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. 1313502, Minor Amendment.**

Applicant **Lehigh Water Authority**  
PO Box 29  
Lehigh, PA 18235

[Township or Borough] Mahoning Township  
**Carbon County**

Responsible Official Mr. David Harleman Chairman  
Lehigh Water Authority

Type of Facility Public Water Supply

Consulting Engineer Gannett Fleming, Inc.  
Laurence S. Zimmermann, PE.  
PO Box 67100  
Harrisburg, PA 17106-7100

Application Received Date July 23, 2013

Description of Action This project provides for the elimination of the 100,000 gallon Orioles Storage Tank from the Lehigh system. The tank previously served the Northern High Pressure Zone.

#### Application No. 5413508, Minor Amendment.

Applicant **Schuylkill County Municipal Authority**  
221 South Centre Street  
Pottsville, PA 17901

[Township or Borough] Mahanoy Township  
**Schuylkill County**

Responsible Official Mr. Patrick M. Caulfield  
Executive Director

Type of Facility Public Water Supply

Consulting Engineer Alfred Benesch and Company  
Jacqueline A. Peleschak  
400 One Norwegian Plaza  
Pottsville, PA 17901

Application Received Date 7/19/13

Description of Action This project provides for a water line extension by Schuylkill County Municipal Authority to the Mahanoy Business Park and the Village of Vulcan. The project involves the construction of 20,000 LF of 8 and 12-in water main and a 500,000 gallon storage tank.

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

#### Application No. 2088501-T1-MA7, Minor Amendment.

Applicant **Meadville Area Water Authority**

Township or Borough City of Meadville

Responsible Official Timothy Groves

Type of Facility Public Water Supply

Consulting Engineer Thomas L. Thompson  
Gannett Fleming, Inc.  
554 South Erie Street  
Mercer, PA 16137

Application Received Date July 22, 2013

Description of Action Construct two new 2.5 million gallon water storage tanks to replace the existing reservoir.

#### WATER ALLOCATIONS

#### Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

**WA39-687-A**, Water Allocation, **Upper Saucon Township**, 5500 Camp Meeting Rd., Center Valley, PA 18034, Upper Saucon Township, **Lehigh County**. The applicant is requesting the renewal of the existing allocation for the

City of Bethlehem to provide up to 300,000 GPD of water to Upper Saucon Township water distribution system through five interconnection points.

**WA40-68-B**, Water Allocation, **Pennsylvania American Water Company**, 100 N. Pennsylvania Avenue, Wilkes-Barre, PA 18711, Bear Creek Township, **Luzerne County**. The applicant is requesting the renewal of the existing allocation for PAWC's Bear Creek Intake. The existing allocation for Bear Creek provides for an allocation of 3 MGD and a maximum of 13 MG in any one day, provided a minimum pass-by stream flow of 35.9 cfs is maintained in Bear Creek.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA-19-144C**, Water Allocations. **United Water of Pennsylvania**, Bloomsburg, 4211 East Park Circle, Harrisburg, PA 17111. Town of Bloomsburg, **Columbia County**. Application to request permit renewal. The original permit issued in 1964, allow for a 5,000,000 gpd withdrawal from Fishing Creek. This limit is an annual average. The requested allocation amount has been made to retain United Water Pennsylvania's existing permitted withdrawal.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated at a special industrial area. This period begins when a

summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

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

**Former Heppenstall Facility**, 4700 Hatfield Street, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne PA 15110, on behalf of RIDC of Southwestern PA Growth Fund, submitted a Notice of Intent to Remediate on July 29 2013. The Site was utilized as an industrial plant for forging and machining and ceased operations in the late 1970s. The Site will follow the Residential Statewide Health Standard (SHS) combined with the Site Specific Standard (SSS) in dealing with contaminants which include semi-volatile organic compounds and metals in soil and volatile organic compounds and metals in groundwater. The intended future use of the Site is a mixed use development including industrial, commercial, and residential. The Notice of Intent to Remediate was published in *The Tribune Review* on July 18 2013.

## AIR QUALITY

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

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

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

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

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

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

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

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**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.**

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**07-05021B: Albemarle Corp.** (2858 Back Vail Road, Tyrone PA 16686-8100) for installation of two scrubbers to be used to control emissions generated from existing chemical processing equipment at their Tyrone Facility in Tyrone Borough, **Blair County**.

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

Plan Approval No. 07-05021B is for the installation of two scrubbers. The potential hydrochloric acid emissions will be 0.7 ton per year, chlorine emissions 0.02 ton per year, hydrofluoric acid emissions of 0.14 ton per year and volatile organic compounds will be less than one ton per year. The plan approval will contain monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements. The facility will be subject to 40 CFR Part 63, Subpart VVVVVV—National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Source.

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

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

*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*

**32-00371B: Blairsville Wilbert Vault Co., Inc.** (P.O. Box 7, 100 N.E. Lane, Blairsville, PA 15717) for funeral services and crematories at their Blairsville Wilbert Vault in Blairsville Borough, **Indiana County**. This is a minor Plan Approval application submittal.

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

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

**S12-041: Philadelphia International Airport—City of Philadelphia—Department of Commerce—Division of Aviation** (8800 Essington Avenue, Philadelphia, PA 19153) for operation of an airport in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include eight (8) 31 MMBTU/hr or less boilers burning No. 2 or natural gas, fifteen (16) less than 3 MMBTU/hr burning natural gas, eleven (11) emergency generators, one (1) 350 kW non-emergency generator, and one (1) 2000 kW non-emergency generator with one (1) peak-shaving generator with SCR.

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

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

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

**09-00096: Suburban Heating Oil Partners** (3115 State Road, Telford, PA 18969) for renewal of a State Only, Synthetic Minor Operating Permit in West Rockhill Township, **Bucks County**. The facility operates a petroleum bulk facility and gasoline dispensing facility. The proposed renewal of the Operating Permit includes: name change from Inergy Propane to Suburban Heating Oil Partners, the addition of a facility Volatile Organic Compound (VOC) emission limit of 2.0 tons per year, and the addition of NESHAPS Subpart CCCCCC regulations for gasoline dispensing facilities. The facility maintains a synthetic minor operating status by maintaining total VOC emissions to less than 24.90 tons per year. The renewed permit includes testing, monitoring, recordkeeping 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*

**40-00099: Haines & Kibblehouse, Inc.** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474) for operation of an asphalt plant in Lehman Township, **Luzerne County**. The particulate emission will be controlled through the use of a baghouse and fabric collector. This is a renewal of a 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.*

**36-05130: Masonic Villages** (1 Masonic Drive, Elizabethtown, PA 17022) for their residential living facility in Elizabethtown Borough, **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 above-mentioned facility.

The Masonic Villages campus provides residential housing for senior citizens. Site installations include a 3-unit boiler plant and a battery of emergency generators to provide electrical power during emergency outages. Actual annual emissions from the facility are generally around 15 tons of nitrogen oxides (NO<sub>x</sub>) and less than 2 tons each of sulfur oxides (SO<sub>x</sub>) and particulate matter (PM). The boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40

CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Area Sources. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The State-only Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

William R. Weaver, Regional Air Quality Manager, may be contacted at 717-705-4863, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

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

**41-00050: Appellation Pre-Fab, LLC** (620 Fairfield Road, Montoursville, PA 17754) for renewal of the State Only (Synthetic Minor) Operating Permit for their Williamsport Plant in Woodward Township, **Lycoming County**. The subject facility has the following potential emissions: 0.3 TPY of CO; 0.4 TPY of NO<sub>x</sub>; 0.002 TPY of SO<sub>x</sub>; 7.38 TPY of PM; 7.357 TPY of PM<sub>10</sub>; <50 TPY of VOCs; <25 TPY of HAPs; <10 TPY of any individual HAP and 467 TPY of CO<sub>2e</sub>. The facility's sources include one (1) shotblast metal cleaning operation, one (1) Rotoblast metal cleaning operation, one (1) metal surface coating operation and miscellaneous space heaters.

The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SMOP have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

The renewal State Only (Synthetic Minor) operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 41-00050) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to David M. Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, North Central Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

**41-00080: PVRNEPA Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) for issuance of the State Only (Natural Minor) Operating Permit for their facility in Mifflin Township, **Lycoming County**. The facility is currently operating under Plan Approval 41-00080A, the terms and conditions of Plan Approval 41-00080B, GP5-41-01B, GP5-41-01C, and GP5-41-01D. The facility's main sources include four natural-gas-fired compressor engines rated 2,370 brake-horsepower (bhp), one natural-gas-fired compressor engine rated 1,340 bhp, one 25 MMscf/day glycol dehydration unit equipped with a 0.75 MMBtu/hr boiler, one 75 MMscf/day glycol dehydration unit equipped with a 1.5 MMBtu/hr boiler, one 35 MMscf/day glycol dehydration unit equipped with a 0.75 MMBtu/hr boiler, and one odorant unit with 0.9486 MMBtu/hr flare. The facility's potential emissions are 27.41 tons per year of carbon monoxide, 72.88 tons per year of nitrogen oxides, 0.23 ton per year of sulfur oxides, 3.28 tons per year of particulate matter with an aerodynamic diameter of less than 10 microns, 3.28 tons of particulate matter with an aerodynamic diameter of less than 2.5 microns, 25.98 tons per year of volatile organic compounds, 5.43 tons per year of total hazardous air pollutants (HAPs), and 98,399 tons per year of carbon dioxide equivalents (greenhouse gases). The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SMOP have been derived from the applicable requirements of 40 CFR Parts 60 and 63, and 25 Pa. Code Chapters 121—145.

The State Only (Natural Minor) operating permit contains applicable MACT requirements to the sources at the facility. The proposed State Only (Natural Minor) operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 41-00080) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to David M. Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, North Central Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

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

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

**03-00229: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) for underground mining of bituminous coal at the Logansport Mine in Bethel Township, **Armstrong County**. This is a State-Only Operating Permit renewal application submittal.

**32-00102: Homer Center School District** (65 Wildcat Lane, Homer City, PA 15748) for the boilers at the Junior/Senior High School in Homer City Borough, **Indiana County**. This is a State Only Operating Permit renewal application submittal.

**03-00245: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201-1504), Natural Minor Operating Permit for the operation of a coal preparation plant, known as T.J.S. Mine # 6 Coal Processing Plant, located in Plumcreek Townships, **Armstrong County**.

The facility contains air contamination sources consisting of screens, conveyer, storage piles, plant roads, and an emergency diesel engine. Processed coal throughput of the facility is limited to 750,000 tons per year. Facility emissions are 24.7 tpy of PM, 7.1 tpy of PM<sub>10</sub>, 0.7 tpy of NO<sub>x</sub>, 0.6 tpy of CO, and 0.2 tpy of SO<sub>x</sub>. The facility is subject to 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation, Processing Plants, as well as state requirements. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Any person wishing to provide DEP with additional information that they believe should be considered prior to the issuance of this operating permit may submit the information to DEP at Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 Plan Approval (specify OP-03-00245) and concise statements regarding the relevancy of the information in the proposed State Only Operating Permit or objections to issuance of the Operating 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 Jesse Parihar, Air Quality Engineering Specialist, DEP, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4030.

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

*Contact: Matthew M. Williams—Telephone: 814-332-6131*

**25-01008: McInnes Rolled Rings** (1533 East 12th Street, Erie, PA 16511) to issue a Natural Minor Operating Permit in the City of Erie, **Erie County**. The facility's primary emissions are from the sixteen (16) furnaces used to heat metal parts for the forging or heat treating operations. Emissions of criteria pollutants are below the major source levels.

**33-00108: Brookville Hospital** (100 Hospital Road, Brookville, PA 15825-1367) for renewal of their natural minor operating permit to operate a general medical and, surgical hospital in Brookville Borough, **Jefferson County**. The facility's major emission sources include four boilers and two emergency generators. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. Potential emissions from the four boilers and two emergency generators combined are: PM: 6.81 Tons per year (TPY); SO<sub>x</sub>: 5.82 TPY; NO<sub>x</sub>: 88.85 TPY; and, CO: 19.14 TPY. The boilers are using natural gas as the primary fuel except for emergencies. Thus, the boilers are not subject to 40 CFR Part 63, Subpart JJJJJJ. The two emergency generators that are fueled by natural gas are exempt from 40 CFR Part 63, Subpart ZZZZ because the source is considered an existing institutional emergency stationary RICE (§ 63.6585(f)(3)).

## 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*

**17071301 and NPDES No. PA0235784. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Harmony Mine in Burnside Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on July 25, 2013. Application received June 5, 2013.

**30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company, LLC**, (PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To operate the BMX Mine in Richhill and Morris Townships, **Green County** and East Finley Township, **Washington County** a new underground mine and related NPDES permit for development mining (acreage and outfall to Patterson Creek from sedimentation pond was permitted as part of Bailey Mine and Prep Plant Permit No. 30841316, NPDES No. PA0213535). Surface Acres Proposed 162.40, Underground Acres Proposed 3,068.0, Subsidence Control Plan Acres Proposed 3,068.0. Receiving stream: Patterson Run, classified for the following use: HQ-WWF. The application was considered administratively complete on July 22, 2013. Application received May 24, 2013.

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

**Permit No. 56080105 and NPDES No. PA00262633. Hoffman Mining Inc.**, 118 Runway Road, Friedens, PA 15541, revision of an existing bituminous and auger surface mine to 3.2 acres to the permit boundary in Ogle and Paint Townships, **Somerset County**, affecting 287.6 acres. Receiving streams: Clear Shade Creek and unnamed tributaries to/and Shade Creek classified for the following uses: high quality cold water fishery and cold

water fishery. There are no potable water supply intakes within 10 miles downstream. Application received July 3, 2013.

**Permit No. 32120102, NPDES No. PA0269026 and General Permit GP-12-32120102, Amerikohl Mining, Inc.**, 1384 State Route 711, Stahlstown, PA 15687, revision of an existing bituminous surface mine to obtain coverage for coal processing under air quality general permit GP-12 in Brushvalley and Center Townships, **Indiana County**, affecting 80.0 acres. Receiving streams: unnamed tributaries to Laurel Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received July 8, 2013.

**Permit No. 32823005 and NPDES No. PA0607231. Blairsville Associates**, P.O. Box 157, Blairsville, PA 15717, renewal for the continued operation and restoration of a bituminous surface and auger mine in Burrell and West Wheatfield Townships, **Indiana County**, affecting 367.0 acres. Receiving streams: unnamed tributaries to/and Palmers Run classified for the following use: cold

water fishery. There are no potable water supply intakes within 10 miles downstream. Application received July 12, 2013.

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

**GP12-26100104. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Application for authorization under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP-26100104 to operate a portable coal crusher to a bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 100.6 acres. Receiving streams: unnamed tributaries to Mill Run and Mill Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: July 24, 2013.

*Noncoal Applications Received*

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

<i>Parameters</i>	<i>Table 2 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.

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

**63130401 and NPDES for stormwater GP104. Boord, Benchek & Associates, Inc.** (345 Southpointe Blvd, Suite 202, Canonsburg, PA 15317). Application for commencement, operation and reclamation of large noncoal surface mine, located in Smith Township, **Washington County**, affecting 42.2 acres. Receiving stream: unnamed tributary to Raccoon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: July 15, 2013.

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

**74740303A4C9 and NPDES Permit No. PA0594334. Eastern Industries, Inc.**, (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Mt. Bethel Township, **Northampton County** affecting 358.1 acres, receiving stream: Delaware River, classified for the following uses: warm water and migratory fishes. Application received: July 5, 2013.

**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: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401*

**E51-258. Philadelphia Water Department**, 1101 Market Street, Philadelphia, PA 19107, City and County of Philadelphia, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities along the Delaware River (WWF) waterfront associated with the Laurel Street Combined Sewer Outfall Improvement Project:

1. To replace and maintain a 66-foot section of deteriorating timber and rock crib bulkhead along the Delaware River. The new bulkhead will be a cast-in-place concrete structure that incorporates an updated combined sewer outfall. Work will also include the placement and maintenance of 60 feet of steel sheet pile walls at the interface with the existing timber and rock crib bulkheads in the vicinity of Piers 43 and 44 North.

2. To replace and maintain the existing brick outfall with a series of three 11-foot high by 11-foot wide cast-in-place concrete box culverts.

3. To incorporate and maintain an existing 27-inch diameter separate storm sewer outfall into the new bulkhead.

4. To incorporate and maintain a new 48-inch diameter separate storm sewer outfall into the new bulkhead.

5. To construct and maintain a new 30-foot wide cast-in-place concrete outfall apron along the new bulkhead to prevent the undercutting of the new outfall structure and bulkhead.

6. To restore and maintain the surface along the bulkhead and piers in preparation for potential use as part of a public greenway.

7. To install and maintain a temporary in-water cofferdam and other appurtenances during the construction.

The site is located at the end of the former Laurel Street between Piers 43N and Pier 44N, near the existing Sugar House Casino (Philadelphia, PA USGS, Lat; 39° 57' 47"; Long; -75° 7' 59").

**E46-1093. Upper Merion Township**, 175 West Valley Forge Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**, ACOE Philadelphia District

To perform the below listed water obstruction and encroachment activities associated with the construction of 7,000 linear feet of 12-foot wide trail connecting Heuser Park and Valley Forge Park:

1. To construct and maintain a bridge across Trout Creek to facilitate the trail crossing and connecting the two parks. The proposed bridge has approximately 95 feet span and is 12 feet wide.

2. To conduct grading, excavation and pavement work in the floodway to accommodate the trail alignment, construction and connection over the bridge.

The project site is located approximately 1,240 Feet North of the intersection of West Valley Forge Road and West Beidler Road in Upper Merion Townships, Montgomery County (PA Valley Forge USGS Quadrangle Latitude 40° 6' 28.4", Longitude -75° 24' 40.7").

**E51-259. Delaware River Waterfront Corporation**, 121 N. Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To rehabilitate and maintain the existing Pier 53 South to facilitate a public park along the Delaware River (WWF-MF) waterfront and within its 100-year floodplain. The park will include various public access amenities, including a boardwalk, pedestrian walkway, and artwork with a viewing platform.

The site is located about 500 feet southeast of Washington Ave. and Christopher Columbus Blvd (Philadelphia, PA.—N.J. USGS Quadrangle N: 10.13 inch W: 2.48 inches).

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E40-747. Walden Estates**, 57 North Mountain Boulevard, Mountain Top, PA 18707, in Fairview Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a road crossing in 0.21 acre of Exceptional Value PEM wetlands and to temporarily impact 0.03 acre of EV wetland for the construction of a sanitary sewer crossing. The project location is located at the corner of Kirby Avenue and State Route 309 in Fairview Township, Luzerne Co (Wilkes-Barre West, PA Quadrangle, Latitude: 41°9'43"; Longitude: -75°53'11").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E06-692. Hamburg Logistics Park, LP**, 930 East Boot Road, Suite 400, West Chester, PA 19380. Hamburg Logistics Park, 220 Zions Church Road, Shoemakersville, PA 19555, in Perry Township, **Berks County**, Philadelphia ACOE District.

To construct three new warehouse/distribution centers totaling approximately 2.25 million square feet and associated infrastructure. The applicant proposes to

1) remove the existing 33.5-foot long, 18-inch CMP culvert, install and maintain a 65-foot long, 8-foot by 3-foot box culvert in an unnamed tributary (UNT) to the Schuylkill River (WWF, MF), and fill 0.03 acre of Palustrine Emergent (PEM)/ Palustrine Scrub Shrub (PSS) Wetlands F & FF (Latitude: 40°31'26", Longitude: -75°58'04"),

2) remove the existing 14-foot long, 30-inch CMP culvert and restore a UNT to the Schuylkill River (WWF, MF), impacting 0.006 acre of PEM Wetland F (Latitude: 40°31'24", Longitude: -75°58'02"),

3) remove the existing 40-foot long, 15-inch CMP culvert and install and maintain a 68-foot long, 48-inch smooth lined plastic pipe culvert with a 4-foot by 8-foot concrete intake box in a UNT to the Schuylkill River (WWF, MF), impacting 0.03 acre of PEM Wetland F (Latitude: 40°31'21", Longitude: -75°58'01"),

4) fill and maintain 0.004 acre of PEM Wetland EE (40°31'20", Longitude: -75°58'02"),

5) fill and maintain 0.025 acre of PEM Wetland F and construct and maintain a channel change in and along 50 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'20", Longitude: -75°58'01"),

6) fill and maintain 0.06 acre of PEM Wetland F and realign and maintain 180 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'17", Longitude: -75°57'59"),

7) remove the existing 42-foot long, 24-inch PVC culvert and restore the stream channel of a UNT to the Schuylkill River (WWF, MF), impacting 0.001 acre of PEM Wetland F (Latitude: 40°31'16", Longitude: -75°57'58"),

8) fill and maintain 0.23 acre of PEM Wetland F, install and maintain a 70-foot long, 6-foot by 4-foot box culvert and weir control structure, and realign and maintain 455 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'09", Longitude: -75°57'58"),

9) fill and maintain 457 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'09", Longitude: -75°57'58"),

10) remove an existing 202-foot long, 12-inch PVC culvert and fill and maintain the stream channel of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'10", Longitude: -75°58'01"),

11) fill and maintain 215 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'11", Longitude: -75°58'03"),

12) fill and maintain 215 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'13", Longitude: -75°58'06"),

13) excavate, fill, and maintain 0.05 acre of PEM Wetland JJ (Latitude: 40°31'12", Longitude: -75°58'08"),

14) fill and maintain 0.11 acre of PEM Wetland EE (Latitude: 40°31'17", Longitude: -75°57'45"),

15) remove an existing 12.5-foot long, 15-inch concrete culvert and fill and maintain 13 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'17", Longitude: -75°57'44"),

16) fill and maintain 0.002 acre of PEM Wetland D (Latitude: 40°31'17", Longitude: -75°57'44"),

17) remove an existing 91-foot long, 18-inch concrete culvert and fill and maintain 91 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'16", Longitude: -75°57'44"),

18) fill and maintain 533 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'15", Longitude: 75°57'42"),

19) fill and maintain 183 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'14", Longitude: -75°57'42"),

20) fill and maintain 0.03 acre of PEM/PSS Wetland L (Latitude: 40°31'13", Longitude: -75°57'43"),

21) fill and maintain 280 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'15", Longitude: -75°57'40"),

22) fill and maintain 0.06 acre of Palustrine Forested (PFO) Wetland Q (Latitude: 40°31'14", Longitude: -75°57'09"),

23) fill and maintain 66 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'14", Longitude: -75°57'40"),

24) fill and maintain 0.03 acre of PEM Wetland N (Latitude: 40°31'13", Longitude: -75°57'40"),

25) fill and maintain 120 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'14", Longitude: -75°57'37"),

26) install and maintain a concrete weir structure in and excavate 0.04 acre of PEM/PSS/POW Wetland CC & BB (Latitude: 40°31'06", Longitude: -75°57'31"),

27) fill and maintain 190 linear feet of a UNT to Pigeon Creek (WWF, MF) (Latitude: 40°31'15", Longitude: -75°57'43"),

28) fill and maintain 1.16 acre of the floodway of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'09", Longitude: -75°57'56"), and

29) temporarily impact 0.20 acre of the floodway of a UNT to the Schuylkill River (WWF, MF). The following activities are waived per 25 Pa. Code § 105.12(a)(2): a) fill and maintain 2.63 acres of the floodway of a UNT to Pigeon Creek (WWF, MF), b) fill and maintain 3.23 acres of the floodway of a UNT to the Schuylkill River (WWF, MF), and c) temporarily impact 2.42 acres of the floodway of a UNT to the Schuylkill River (WWF, MF). In total the applicant proposes to impact 3,344 linear feet of stream channel, 0.98 acre of wetlands, and 9.44 acres of floodways. Wetland mitigation is proposed to create 1.26 acre of wetlands.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E57-125. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. S.R. 2003 Section 009, Elk Lick Creek Roadway Slope Repair, Laporte Township, **Sullivan County**, ACOE Baltimore District (Laporte, PA Quadrangle N: 41° 23' 04"; W: -76° 28' 22").

PA DOT Engineering District 3-0 proposes to repair the roadway side slope adjacent to Elk Lick Creek. The roadway side slope will consist of 2:1 Rip Rap and Fill slope for approximately 470 Ft. Approximately 249 Linear Feet of Elk Lick Creek will be relocated to accommodate the new roadway side slope. The project will also impact approximately 1,635 Ft of Unnamed Tributaries to Elk Lick Creek for drainage improvements. The project will construct approximately 1,139 Ft of channel for the Unnamed Tributaries. The project will include the construction of log habitat structures and tree plantings as mitigation. The project will permanently impact 0.01 acre of jurisdictional wetlands and does not require mitigation. Elk Lick Creek is classified as Exceptional Value, Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards.

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

**E10-484, Columbia Gas of Pennsylvania**, 4000 Energy Drive, Bridgeville, PA 15017. D-22 Pipeline Replacement, in Mercer Township and Marion Township, **Butler County**, ACOE Pittsburgh District (Barkeyville, Grove City, Slippery Rock, West Sunbury, PA Quadrangles N: 41°, 07', 45"; W: 79°, 59', 17").

To install approximately 2.55 miles of new natural gas pipeline within existing pipeline ROW and PennDOT roadway ROW. Project involves open-trench pipeline

crossings of 3 wetlands and 3 streams, HDD pipeline crossings of 2 wetlands and 2 streams, and temporary equipment crossings (timber mats) of 1 wetland and 1 stream. Total impacts include 0.37 acre temporary wetland impact, 0.02 acre permanent wetland impact (conversion of wetland from PSS to PEM), and 120 LF (0.02 acre) temporary impact to streams.

**E33-249, PA DOT, District 10-0**, 2550 Oakland Ave, PO Box 429, Indiana, PA 15701. S.R. 3007, Section 550 State Street Bridge Across Red Bank Creek, in the Borough of Summerville, **Jefferson County**, ACOE Pittsburgh District (Summerville, PA Quadrangle N: 41°, 07', 1.9"; W: 79°, 11', 11.3").

To remove the existing three span steel multi-girder bridge and to construct and maintain a 40.0 foot out to out three span steel plate girder bridge having three normal clear spans of 64.7 feet each and an underclearance of 15.4 feet across Red Bank Creek (TSF) within the flood plain and re-aligned upstream of existing structure. The roadway will also be re-aligned on both approaches of the new structure located on S.R. 3007, Segment 0130, Offset 0144 within the Borough of Summerville. The project also proposes a temporary causeway for construction. A total of 210 linear feet of Red Bank Creek will be impacted as a result of the project.

**E42-362, Foster Township**, 1185 East Main Street, Bradford PA 16701. Foster Township Sanitary Sewer Extension Project, in Foster Township, **McKean County**, ACOE Pittsburgh District (Bradford & Derrick City, PA Quadrangle N: 41°, 56', 35"; W: 78°, 35', 18").

To install 93,000 LF of HDPE low pressure sewer by Horizontal Directional Drill and 2,160 LF of gravity sewer by open trench. Project includes 69 stream crossings and 9 wetland crossings to be installed by HDD. A single service lateral will involve an open cut through a wetland (15ft<sup>2</sup> temporary impact), and 1 HDD bore pit will be located in a wetland (20ft<sup>2</sup> temporary impact).

**E43-359, PA DOT District 1-0**, 255 Elm Str., Oil City, PA 16301. SR 1015 Section B00 New Lebanon Bridge Replacement, in French Creek Township, **Mercer County**, ACOE Pittsburgh District (New Lebanon, PA Quadrangle N: 41°, 28', 18"; W: -80°, 01', 06").

To remove the existing two span steel through truss bridge and to construct and maintain a two-span, prestressed concrete bulb-tee beam bridge with a normal clear span of 270 feet, an out-to-out width of 27.4 feet over French Creek (WWF) along New Lebanon Road in French Creek Township, SR 1015 Segment 0060 Offset 1,472 approximately 1/2 mile South of the Borough of Carlton, Pa. The project also proposes a temporary causeway for construction. A total of 321 linear feet of French Creek will be impacted as a result of the project

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5929-043: SWEPI LP**, 2100 Georgetown Drive, Suite 400, Sewickley, PA 15143, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) An 8 inch diameter natural gas gathering line and a 10 inch diameter fresh waterline impacting 155 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'01"N, 77°03'22"W);

2) An 8 inch diameter natural gas gathering line and a 10 inch diameter fresh waterline impacting 530 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'00"N, 77°03'15"W);

3) A temporary road crossing using a wood mat bridge impacting 1,081 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°34'58"N, 77°03'15"W);

4) A temporary road crossing using wood mat bridges, an 8 inch diameter natural gas gathering line, and a 10 inch diameter fresh waterline impacting 2,928 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°34'58"N, 77°03'14"W);

5) A temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, and a 10 inch diameter fresh waterline wetland impacting 34,502 square feet of an exceptional value palustrine emergent/palustrine scrub-shrub (EV-PEM/PSS) (Liberty, PA Quadrangle 41°34'53"N, 77°03'12"W);

The project will result in 39,196 square feet (0.90 acre) of temporary wetland impacts, all for the purpose of installing a natural gas gathering line, a fresh waterline, associated access roadways for Marcellus well development in Liberty Township, Tioga County.

**E4129-080: Anadarko Marcellus Midstream, LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) fill for a permanent access road impacting 10,121 square feet of a palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'42"N 76°56'55"W);

2) fill for a permanent access road impacting 203 linear feet of an unnamed tributary to East Branch Murray Run (EV, MF) and 2,785 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'41"N 76°56'50"W);

3) a 38-foot long, 36-inch diameter culvert and associated fill impacting 60 linear feet of an unnamed tributary to East Branch Murray Run (EV, MF) and 71 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°25'40"N 76°56'49"W).

The project will result in a total of 263 linear feet of stream impacts and an additional 0.30 acre wetland impacts all for the purpose of installing a permanent access roadway to a natural gas compressor station for Marcellus well development.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E43-08-004, Halcon Field Service LLC**, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, Greene, Sugar Grove and Salem Townships, **Mercer County**, ACOE Pittsburgh District.

The applicant proposes the installation of approximately 8 miles of 16 inch diameter natural gas pipeline starting at the Stevenson wellpad and terminating at the Gallagher wellpad in Greene, Sugar Grove, and Salem Townships, Mercer County, PA. The project will utilize new rites-of-way (ROWs), and existing public and private roads for construction, operations and maintenance activities. Approximately 0.07 acre of wetland will be permanently impacted due to the horizontal directional drill

(HDD) method beneath the wetlands. Thirteen palustrine emergent (PEM) wetlands will be impacted by temporary surface disturbance via open-cut construction or timber matting. One PSS/PFO wetland will be permanently impacted by conversion to PSS. However, the area of impact is 0.045-acre, which qualifies as de minimus therefore no mitigation for the project will be necessary. The project will result in 507 linear feet of temporary stream impacts and 0.77 acre of temporary wetland impacts.

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

1 One (1) 16 inch diameter natural gas gathering line crossing two (2) unnamed tributaries (UNT's) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville East & West, PA Quadrangles) 41°27'41.869"N -80°24'41.876"W & 41°27'42.313"N - 80°24'41.992"W

2 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet of UNT and 0.04 acre of floodway. (Greenville East & West, PA Quadrangles) 41°27'47.863"N -80°24'43.444"W

3 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Little Shenango River (TSF) using timber mat & open cut technique and impacting 86 linear feet of UNT and 0.18 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'36.697"N -80°23'5.420"W

4 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Little Shenango River (TSF) using timber mat & open cut technique and impacting 62 linear feet of UNT and 0.2 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'33.200"N -80°22'46.897"W

5 One (1) 16 inch diameter natural gas gathering line crossing Crooked Creek (TSF) using Horizontal Directional Drill (HDD) technique and impacting 45 linear feet. (Greenville East & West, PA Quadrangle) 41°27'18.750"N -80°21'43.467"W

6 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Crooked Creek (TSF) using timber mat & open cut technique and impacting 42 linear feet of UNT and 0.08 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'24.315"N -80°20'30.091"W

7 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Crooked Creek (TSF) using timber mat & open cut technique and impacting 106 linear feet of UNT and 0.2 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'31.593"N -80°20'11.203"W

8 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Crooked Creek (TSF) using timber mat & open cut technique and impacting 65 linear feet of UNT and 0.3 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'31.490"N -80°20'6.584"W

9 One (1) 16 inch diameter natural gas gathering line crossing a pond using Horizontal Directional Drill (HDD) technique and impacting 0 acres. (Greenville East & West, PA Quadrangle) 41°27'34.588"N -80°19'40.512"W

10 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Little Shenango River (TSF) using timber mat & open cut technique and impacting 0 linear feet of UNT and 0.1 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'30.332"N -80°19'25.223"W

11 One (1) 16 inch diameter natural gas gathering line crossing Bluff Run (TSF) using temporary bridge & open cut technique and impacting 41 linear feet of UNT and 0.11 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'36.527"N -80°18'58.455"W

12 One (1) 16 inch diameter natural gas gathering line crossing Bluff Run (TSF) using timber mat & open cut technique and impacting 58 linear feet of UNT and 0.21 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'58.269"N -80°17'52.903"W

13 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Bluff Run (TSF) using timber mat & open cut technique and impacting 47 linear feet of UNT and 0.28 acre of floodway. (Greenville East & West, PA Quadrangle) 41°27'59.039"N -80°18'29.328"W

14 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine scrub-shrub (PSS) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts. (Greenville East & West, PA Quadrangle) 41°27'42.044"N -80°24'41.922"W

15 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts. (Greenville East & West, PA Quadrangle) 41°27'47.863"N -80°24'43.444"W

16 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.07 acre (Greenville East & West, PA Quadrangle) 41°27'36.893"N -80°22'57.297"W

17 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.02 acre (Greenville East & West, PA Quadrangle) 41°27'36.217"N -80°22'48.360"W

18 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'35.472"N -80°22'47.791"W

19 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.12 acre (Greenville East & West, PA Quadrangle) 41°27'30.685"N -80°22'45.677"W

20 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland/ palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.11 acre (Greenville East & West, PA Quadrangle) 41°27'15.551"N -80°22'37.361"W

21 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.02 acre (Greenville East & West, PA Quadrangle) 41°27'18.467"N -80°21'52.389"W

22 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'18.622"N -80°21'47.486"W

23 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland/ palustrine forested (PFO) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'18.776"N -80°21'42.648"W

24 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland/ palustrine forested (PFO) wetland using Horizontal Directional Drill (HDD) technique and impacting 0.03 acre (Greenville East & West, PA Quadrangle) 41°27'19.092"N -80°21'32.679"W

25 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland/ palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.12 acre (Greenville East & West, PA Quadrangle) 41°27'18.277"N -80°20'49.629"W

26 One (1) 16 inch diameter natural gas gathering line crossing a palustrine scrub shrub (PSS) wetland/ palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.034 acre (Greenville East & West, PA Quadrangle) 41°27'24.265"N -80°20'31.142"W

27 One (1) 16 inch diameter natural gas gathering line crossing a palustrine scrub shrub (PSS) wetland/ palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.011 acre (Greenville East & West, PA Quadrangle) 41°27'24.283"N -80°20'30.779"W

28 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland/ palustrine scrub shrub (PSS) wetland using timber mat & open cut technique and impacting 0.05 acre (Greenville East & West, PA Quadrangle) 41°27'33.502"N -80°20'6.316"W

29 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.08 acre (Greenville East & West, PA Quadrangle) 41°27'31.995"N -80°19'28.473"W

30 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.06 acre (Greenville East & West, PA Quadrangle) 41°27'30.332"N -80°19'25.223"W

31 One temporary access road crossing a palustrine emergent (PEM) wetland using timber mat technique and

impacting 0.02 acre (Greenville East & West, PA Quadrangle) 41°27'30.539"N -80°19'25.184"W

32 One temporary access road crossing a palustrine emergent (PEM) wetland using timber mat technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'56.937"N -80°18'1.877"W

33 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.05 acre (Greenville East & West, PA Quadrangle) 41°27'58.211"N -80°17'53.375"W

34 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'58.603"N -80°17'34.810"W

35 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland using timber mat & open cut technique and impacting 0.01 acre (Greenville East & West, PA Quadrangle) 41°27'58.652"N -80°17'34.598"W

36 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland/ palustrine forested (PFO) wetland using timber mat & open cut technique and impacting 0.03 acre (Greenville East & West, PA Quadrangle) 41°28'4.830"N -80°17'9.846"W

#### ENVIRONMENTAL ASSESSMENT

*Northcentral Region: Program Manager, Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701*

**EA17-014. School Trib Abandoned Mine Drainage Passive Treatment System**, adjacent to SR 879, Frenchville, PA 16836. Acid mine drainage abatement project on an unnamed tributary to Deer Creek, Girard Township, **Clearfield County**, ACOE Baltimore District (Leontes Mills Quadrangle).

Clearfield County Conservation District is proposing a passive treatment system for an unnamed tributary to Deer Creek (locally known as the School Trib), which is impaired from previous mining operations. The system, authorized under a restoration waiver, will consist of a mixing basin, two (2) vertical flow wetlands (VFW), two (2) oxidation/precipitation settling basins and an outfall to the existing stream channel. There will also be a series of small limestone cells to treat an AMD discharge located in a seep along SR 879. The system is designed to treat 150 gallons per minute of the stream and bypass the remainder. The effluent from the final settling basin will discharge back to the existing channel downstream from the intake. There will be several permanent stream and wetland impacts associated with the work:

<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
Install VFW	41° 5' 10.7" N	78° 15' 49.3" W	UNT to Deer Creek	617 LF
Install VFW	41° 5' 10.9" N	78° 15' 39.4" W	UNT to Deer Creek	155 LF
Install VFW	41° 5' 11.1" N	78° 15' 48.6" W	Wetland along UNT to Deer Creek	5,608 SF
Install treatment step pools	41° 5' 13.7" N	78° 15' 46.7" W	Wetland along UNT to Deer Creek	1,437 SF

Mitigation for these impacts is a combination of the creation of two wetlands adjacent to the existing wetlands (0.16 acre) and downstream water quality improvement in the unnamed tributary to Deer Creek. Under current conditions, there is very limited aquatic life in the unnamed tributaries and wetlands due to acid mine drainage.

Latitude 41° 5' 10.7" N; Longitude 78° 15' 49.3" W.

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460*

**D06-477EA. James Babb**, 22 Reading Road, Wyomissing, PA 19610, Borough of Wyomissing, **Berks County**, USACOE Philadelphia District.

Project proposes to remove approximately 2.6 acres of accumulated silt and sediment from the reservoir impounded by the Lauer Run Detention Basin Dam located across a tributary to Wyomissing Creek (HQ-CWF) in Wyomissing Borough, Berks County. (Reading, PA Quadrangle, Latitude: 40.3174; Longitude: -75.9814).

**D22-114EA. Melanie Boehmer**, Director of Capital Projects, Milton Hershey School, 1201 Homestead Lane, Hershey, PA 17033, Derry Township, **Dauphin County**, USACOE Baltimore District.

Project proposes to remove the Hershey School Intake Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across Spring Creek (WWF) (Palmyra, PA Quadrangle, Latitude: 40.2750; Longitude: -76.6220).

**D48-003EA. Mark Sell, Echo Lake Development**, 6 Echo Lake Drive, Bangor, PA 18013, Upper Mount Bethel Township, **Northampton County**, USACOE Philadelphia District.

Project proposes to remove approximately 1.5 acre of accumulated silt and sediment from the reservoir impounded by the Echo Lake Dam located across a tributary to Jacoby Creek (CWF) (Stroudsburg, PA Quadrangle, Latitude: 40.9020; Longitude: -75.1491).

## ACTIONS

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

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

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

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

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

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

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

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



**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0009229—IW	Norfolk Southern Railway Corporation—Enola Yard 1200 Peachtree Street NE Atlanta, GA 30309	Cumberland County / East Pennsboro Township	Susquehanna River / 7-B	Y
PA0029572—Sew	Laurel Run Village Health Care Facility 6375 Chambersburg Road Fayetteville, PA 17222	Adams County / Franklin County	Clear Run / 13-C	Y
PA0031631—Sew	Twin Valley School District 4851 North Twin Valley Road Elverson, PA 19520-9340	Berks County / Caernarvon Township	East Branch Conestoga River / 7-J	Y
PA0084751—Sew	Doubling Gap Center Corporation 1550 Doubling Gap Road Newville, PA 17241-9757	Cumberland County / Lower Mifflin Township	Doubling Gap Creek / 7-B	Y
PA0246387—Sew	Rustic Meadows Camping & Golf Resort, Inc. 1980 Turnpike Road Elizabethtown, PA 17022	Lancaster County / West Donegal Township	UNT Snitz Creek / 7-G	Y
PA0260797—Sew	Clappertown CMA Church Properties 3239 Piney Creek Road Williamsburg, PA 16693	Blair County / Huston Township	UNT Piney Creek / 11-A	Y
PA0080900—Sew	Berrysburg Municipal Authority PO Box 183 Berrysburg, PA 17005	Dauphin County / Berrysburg Borough	UNT Wiconisco Creek / 6-C	Y
PA0081281—Sew	Park Acquisitions, LLC— Cavalry Heights MHP 2160 Hanover Road Gettysburg, PA 17325	Adams County / Mount Pleasant Township	UNT White Run / 13-D	Y
PA0087548—Sew	Artillery Ridge Campground, Inc. 610 Taneytown Road Gettysburg, PA 17325	Adams County / Cumberland Township	UNT Rock Creek / 13-D	Y
PA0083038—Sew	Skip Waybrant— Waybrant Oil Office Building PO Box 13 Reliance, TN 37369	Adams County / Mount Joy Township	UNT Rock Creek / 13-D	Y

*Northcentral Regional: 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>
PA0233552	Hiller Farms CAFO 84 Hiller Lane Allenwood, PA 17810	Union County Gregg Township	Spring Creek (10-C)	N

*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>
PA0091391	Industrial Waste Spartech Polycom Texas, Inc. 470 Johnson Road Washington, PA 15031	Washington Cnty Donora Boro	Monongahela River	Y
PA0204293 Industrial Waste	Spartech Polycom Texas, Inc. 470 Johnson Road Washington, PA 15031	Washington Cnty Donora Boro	Monongahela River	Y
PA0001996 Industrial Waste	Lehigh Specialty Melting, Inc. 107 Gertrude Street Latrobe, PA 15650	Westmoreland Cnty Latrobe Boro	UNT of Pucketa Creek, UNT to Conemaugh River & UNT to Pucketa Creek	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>
PAS206108 Industrial Waste	Crown Cork & Seal 1840 Baldrige Avenue Connellsville, PA 15425-5236	Fayette Cnty Connellsville City	UNT to Youghiogheny River	Y
PA0218073 Industrial Waste	Keyrock Energy, LLC 417 Oxford Court Kingsport, TN 37663-4214	Westmoreland Cnty E Huntingdon Twp	Jacobs Creek	N
PA0217778 Industrial Waste	Keyrock Energy, LLC 417 Oxford Court Kingsport, TN 37663-4214	Fayette Cnty Dunbar Twp	UNT to Youghiogheny River	N

*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>
PA0210501 (sewage)	Earl G Willey SFTF 3974 Longview Road West Middlesex, PA 16159	Mercer County Shenango Township	Hogback Run (20-A)	Y
PA0240044 (Sewage)	Meadville KOA Campground 25164 State Highway 27 Meadville, PA 16335	Crawford County East Mead Township	Unnamed Tributary to Little Sugar Creek (16-D)	Y
PA0240117 (Sewage)	Dale L Coates SR STP 9541 Concord Road Union City, PA 16438	Erie County Union Township	Unnamed Tributary to South Branch French Creek (16-A)	Y
PA0210005 (Sewage)	Thomas M Bunk SFTF 608 Sharon-Bedford Road West Middlesex, PA 16159-2623	Mercer County Shenango Township	Unnamed Tributary to Little Deer Creek (20-A)	Y
PA0023566 (Sewage)	Emlenton Municipal Authority STP E Main Street Emlenton, PA 16373-0448	Venango County Emlenton Borough	Allegheny River (16-G)	Y
PA0222216 (Sewage)	Edinboro Conference Grounds 12940 Fry Road Edinboro, PA 16412	Erie County Washington Township	Unnamed Tributary to Boles Run (16-A)	Y

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

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

**NPDES Permit No. PA0027294**, Sewage, **Bristol Borough Water & Sewer Authority**, 250 Pond Street, Bristol, PA 19007.

This proposed facility is located in Bristol Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Bristol Borough WPC Plant to Otter Creek A tributary to Delaware River in Watershed 2-E.

**NPDES Permit No. PA0012629 Amendment 1**, Industrial, **Philadelphia Energy Solutions (Refining and Marketing), LLC**, 3144 W. Passyunk Avenue, Philadelphia, PA 19145.

This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the transfer of an NPDES permit to discharge from a facility known as Point Breeze Processing Area to Schuylkill River in Watershed 3F.

**NPDES Permit No. PA0244601**, Industrial, **Pottstown Industrial Investments LLC**, 1751 Easton Road, Willow Grove, PA 19090.

This proposed facility is located in West Pottsgrove Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge leachate from closed landfill from a facility known as Flagg Brass Landfill to Schuylkill River in Watershed 3-D.

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

**NPDES Permit No. PA0247464, Amendment No. 1**, Sewage, **East Hanover Township Municipal Authority**, 884 Jonestown Road, Grantville, PA 17028.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

**NPDES Permit No. PA0081281**, Sewage, **Park Acquisition LLC**, Cavalry Heights Mobile Home Park, 2160 Hanover Road, Gettysburg, PA 17325-7719.

This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

**NPDES Permit No. PA0229156**, CAFO, **Four Winds Dairy LLC**, 400 Vanetten Road, Ulysses, PA 16948.

This existing facility is located in Harrison Township, **Potter County**.

Description of Existing Action/Activity: Authorization for a 2,216 AEU dairy CAFO consisting of 1100 milk cows, 105 dry cows, 655 heifers and 205 calves. The CAFO is situated near the source to the North Fork of the Cowanesque River in watershed 4-A classified for CWF. A release or discharge to waters of the Commonwealth under normal operation conditions is not expected. Normal operation conditions are defined as conditions below a 25-year, 24-hour storm event.

**NPDES Permit No. PA0233994**, CAFO, SIC Code 0241, **Gorrell Dairy LLC**, Rd 1 Box 220, Milan, PA 18831.

This proposed facility is located in Smithfield Township, **Bradford County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a CAFO.

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

**NPDES Permit No. PA0103021**, Sewage, **Amendment No. 2, Donna R. & Ronald V. Schenck**, 1439 Greeley Street, Bear Lake, PA 16402-1441.

This existing facility is located in Bear Lake Borough, **Warren County**.

Description of Proposed Action/Activity: Transfer of existing NPDES permit from the Bear Lake Inn, Inc. to Donna R & Ronald V. Schenck.

**NPDES Permit No. PA005045**, Sewage, **Amendment No. 1, First Energy Generation, LLC**, 76 South Main Street, Akron, OH 44308.

This existing facility is located in Mead Township, **Warren County**.

Description of Proposed Action/Activity: Amendment of an NPDES individual Industrial Waste Permit to change the Permittee name from First Energy Generation Corporation to First Energy Generation, LLC.

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

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

**WQM Permit No. 1513403**, Sewage, **Municipal Authority of the Borough of Elverson**, 101 South Chestnut Street, P. O. Box 266, Elverson, PA 19520-0266.

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

Description of Action/Activity: Upgrades to the wastewater treatment plant that includes installation of a new filter building.

**WQM Permit No. 1595401**, Sewage, **Amendment, Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033.

This proposed facility is located in Parkesburg Borough, **Chester County**.

Description of Action/Activity: Upgrades to the City of Coatesville Sewer System and Parkesburg Pump Station. Construction of a second force main and replacing the existing 18 inch gravity sewer main.

**WQM Permit No. 4613403**, Sewage, **Worcester Township**, 1721 Valley Forge Road, P. O. Box 767, Worcester, PA 19490-0767.

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

Description of Action/Activity: Construction and operation of a new 0.90 mgd extended aeration wastewater treatment plant to replace the non-operational portion of the WWTP at the Valley Green WWTP.

**WQM Permit No. 1598403**, Sewage, **Amendment, Downingtown Area Regional Authority**, 6 West Lancaster Avenue, Downingtown, PA 19335.

This proposed facility is located in East Caln Township, **Chester County**.

Description of Action/Activity: Rerating the influent organic capacity of the authority's wastewater treatment facility.

**WQM Permit No. 0999424**, Sewage, **Transfer, Thomas & Nicole Moyer**, 52 Hafler Road, Sellersville, PA 18960.

This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Permit approval for the transfer of ownership from Kevan Price to Thomas & Nicole Moyer.

**WQM Permit No. 1513405**, Sewage, **Utilities Inc. of PA**, P. O. Box 379, Dunkirk, MD 20754

This proposed facility is located in West Bradford Township, **Chester County**.

Description of Action/Activity: Construction and operation of a pump station to service proposed 64 lot residential subdivision to discharge to ex gravity manhole.

**WQM Permit No. 4613404**, Sewage, **Hatfield Township Municipal Authority**, 3200 Advance Lane, Colmar, PA 18915-9766.

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

Description of Action/Activity: Construction and operation of a sanitary pump station to serve assisted living community building.

**WQM Permit No. 1507415**, Sewage, **Renewal, Pocopson Township**, 740 Denton Hollow Road, P. O. Box 1, West Chester, PA 19382.

This proposed facility is located in Pocopson Township, **Chester County**.

Description of Action/Activity: Request approval for renewal of continued operation of an aerated lagoon treatment plant with irrigation disposal.

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

**WQM Permit No. 2204406, 2204406 Amendment 11-1, WQG02221001, and WQG02221201**, Sewerage, **East Hanover Township Municipal Authority**, 8848 Jonestown Road, Grantville, PA 17028.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permits.

**WQM Permit No. 3801401, Amendment 13-1**, Sewerage, **PA Department of Military & Veterans Affairs**, Building 0-11 Fort Indiantown Gap, Annville, PA 17003.

This proposed facility is located in East Hanover Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit amendment approval for the modifications of sewage facilities existing of: The injection of Caustic Soda at the Area 14 Pump Station and/or into the filter backwash line to control odors and minimize corrosion at the STP. Caustic Soda will be stored in existing 1,000 gallon storage tanks. Chemical dosing will be facilitated by an operator controlled chemical feed pump.

**WQM Permit No. 0175408, Transfer #1**, Sewerage, **Park Acquisitions, LLC**, Cavalry Heights MHP, 2160 Hanover Road, Gettysburg, PA 17325-7719.

This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

**WQM Permit No. 1999401 A-1**, Sewage, SIC Code 4952, **H. H. Knoebel Sons, Inc.**, PO Box 317, Elysburg, PA 17824-0317.

This existing facility is located in Cleveland Township, **Columbia County**.

Description of Proposed Action/Activity: Modifications to the Lake Glory Campground Wastewater Treatment Plant.

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

**WQM Permit No. 0213401**, Sewerage, **PNC Financial Svcs Grp**, Two PNC Plaza, 620 Liberty Ave, PGH, PA 15222-2719

This proposed facility is located in PGH City, **Allegheny Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a STP.

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

**WQM Permit No. WQG01251306**, Sewage, **Mark A Bliley**, 8536 E Lake Road, Erie, PA 16511.

This proposed facility is located in Harborecreek Township, **Erie County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. 6286403**, Sewage, **Transfer No. 1, Donna R. & Ronald V. Schenck**, 1439 Greeley Street, Bear Lake, PA 16402-1441.

This existing facility is located in Bear Lake Borough, **Warren County**.

Description of Proposed Action/Activity: Transfer of existing WQM permit from the Bear Lake Inn, Inc. to Donna R & Ronald V. Schenck.

**WQM Permit No. 2500403**, Sewage, **Keith W & Susan L Rossman**, 111 Hidden Meadows Circle, Renfrew, PA 16053.

This existing facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: Cancellation of permit.

**WQM Permit No. 365S36**, Sewage, **Transfer No. 2, Dale E. Miller d/b/a Evergreen Properties**, P. O. Box 51, New Springfield, OH 44443.

This existing facility is located in Mahoning Township, **Lawrence County**.

Description of Proposed Action/Activity: Transfer of an existing WQM permit from William E. Miller to Dale E. Miller.

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<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>
Trumbauersville Borough Bucks County	PAI130540	Trumbauersville Borough Bucks County 1 Evergreen Drive Drawer 100 Trumbauersville, PA 18970	Morgan Creek and Unnamed Tributary to Unami Creek—2-D and 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Richland Township Bucks County	PAI130007	Richland Township Bucks County 1328 California Road Suite A Quakertown, PA 18951	Beaver Run, Butter Creek, Tohickon Creek and Unnamed Tributary to Unami Creek—2-D and 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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*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 0908004-R	Thornwood Builders, LLC P. O. Box 260 Springtown, PA 18081	Bucks	Springfield Township	Cooks Creek EV-MF
PAI01 0908005-R	1550 SHR Associates, L.P. 1650 S. Crescent Blvd Yardley, PA 19067	Bucks	Milford Township	Unami Creek HQ-TSF
PAI01 0913001	Waste Management of Fairless, LLC 1000 New Ford Mill Road Morrisville, PA 19067	Bucks	Falls Township	Delaware River
PAI01 1509040	Norbertine Fathers, Inc. 220 South Valley Road Paoli, PA 19301	Chester	Willistown Township	Tributaries to Crum Creek HQ-CWF
PAI01 1513013	Rite Aid Pennsylvania, Inc. 877 Kings Highway, Suite 100 West Deptford, NJ 08096	Chester	Westtown Township	Hunters Run HQ-TSF
PAI01 1503034-R	Chester Valley Golf Club 430 Swedesford Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI01 5113003	Weccacoe Properties, LP 101 South Kings Street Gloucester City, NJ 08030	Philadelphia	City of Philadelphia	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>
PAI025207005R	Pine Hill Partners, L.P. 1491 Hemlock Farms Lords Valley, PA 18428	Pike	Westfall Township	Crawford Branch (HQ-CWF, MF) Cummins Creek (HQ-CWF, MF) UNT to Delaware River (HQ-CWF, MF) Deep Brook (EV, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030611019	East Penn Manufacturing Co., Inc. PO Box 147 1 Deka Road Lyon Station, PA 19536	Berks	Topton Borough and Longswamp Township	Toad Creek (HQ-CWF, MF)
PAI033612009	Welsh Mountain Home 567 Springville Road New Holland, PA 17557	Lancaster	Salisbury Township	UNT to Richardson Run (HQ-CWF)
PAI033613001	Turkey Hill Dairy 2601 River Road Conestoga, PA 17516	Lancaster	Manor Township	UNT to the Susquehanna River (WWF, MF); Wissler's Run (HQ-CWF, MF)

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

*McKean County Conservation District, 17137 Route 8, Smethport PA 16749*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI064212004	SBA Towers IV LLC 5900 Broken Sound Parkway, Boca Raton FL 33487	McKean	Sergeant Township	Lanigan Brook CWF (existing use EV) Clarion River CWF

## **VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG02**Facility Location:*

<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>
Decatur Township Clearfield County	PAG02-1017-13-005	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461	UNT to Big Run (CWF/MF, Impaired) to Moshannon Creek to Upper West Branch Susquehanna River [Moshannon—Mosquito Creeks Watershed Sub-basin (08D)]	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461 717-783-5641
Bristol Township Bucks County	PAG0200 0913016	Summit Realty Advisors, LLC 201 S. Maple Avenue, Suite 100 Ambler, PA 19002	Queen Anne Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Township Bucks County	PAG0200 0913024	Township of Doylestown 425 Wells Road Doylestown, PA 18901-2624	Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAG0200 0913029	Mack & Roedel Custom Builders, LLC 5910 Stovers Mill Road Doylestown, PA 18902	Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haycock Township Bucks County	PAG0200 0913034	Haycock—Cobbler Road Associates, LLC 374 Easton Road Warrington, PA 18976	Tohickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG0200 0913038	County Builders, Inc. 76 Griffiths Miles Circle Warminster, PA 18974	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Yardley Borough Bucks County	PAG0200 0913030	Hidden Oaks, LP 897 Route 130 East Windsor, NJ 08520	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAG0200 0913042	Township of Falls 188 Lincoln Highway, Suite 100 Fairless Hiss, PA 19030	Delaware River/Rock Run/Martins Creek WWF-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>
Warrington Township Bucks County	PAG0200 0913021	The Cutler Group, Inc. 5 Apollo Road, Suite 1 Plymouth Meeting, PA 19462	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Caln Township Chester County	PAG0200 1513022	Locker Room Storage 330 Exeter Road Haverford, PA 19041	Brandywine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Coatesville Chester County	PAG0200 1506070-R	Baker Residential of PA, LLC 3 Creek Pkwy Boothwyn, PA 19061	West Branch Brandywine Creek WWF-TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pocopson Township Chester County	PAG0200 1507067-R	Toll PA VI, LP 4 Hillman Drive Chadds Ford, PA 19317	Pocopson Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2313017	Thomas P. Nerney 400 Inverary Road Villanova, PA 19085-1138	Little Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chester Township Delaware County	PAG0200 2310024	Eske Development LLC 3581 Concord Road Aston, PA 19014	Chester Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chester Township Delaware County	PAG0200 2308028R	Sun Center Studios LP 250 N. Commerce Drive Aston, PA 19014	Baldwin Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chester Township Delaware County	PAG0200 2306045R	DANBRO, L.P. 3700 South 26th Street Philadelphia, PA 19145	Chester Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Collegeville Borough Montgomery County	PAG0200 4609034	Ronald Minges 477 East Main Street Collegeville, PA 19426	Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Montgomery Township Montgomery County	PAG0200 4613026	John J Pileggi, Jr 3470 Limekiln Pike Chalfont, PA 18914	Little Neshaminy WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900



<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>
Lower Merion Township Montgomery County	PAG0200 4613032	Victor Orlando 301 East Montgomery Avenue Ardmore, PA 19003	Unnamed Tributary to Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAG0200 4613038	Mike Downs 4 Hillman Drive, Suite 120 Chadds Ford, PA 19317	Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4613030	S. G. Souder P O Box 559 521 Kimberton Road Kimberton, PA 19442	Sanatoga Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Souderton Borough Montgomery County	PAG0200 4613045	J Edmund Mullin 375 Morris Road P O Box 1479 Lansdale, PA 19446	Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511102-R	Cranaleith Spiritual Center 13475 Proctor Road Philadelphia, PA 19116	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511315	Drexel University 225 North 32nd Street Philadelphia, PA 19104	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 5106063	University of Pennsylvania Health System 21 Penn Tower 399 South 34th Street Philadelphia, PA 19104	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511122-1	PA Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Pennypack Creek MF-TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Washington Township & Hanover Township Lehigh County	PAG02003912008	Joseph Kolarik Joseph Rocco Newside Estates LP 2288 Meadow Lane Emmaus, PA 18049	Mill Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Pittston Township Luzerne County	PAG02004006042R	Mericle Oak Street, LLC c/o Robert Mericle 100 Baltimore Drive Wilkes-Barre, PA 18702	UNT to Susquehanna River (CWF, MF) UNT to Mill Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991

## 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>
Bethlehem Township Northampton County	PAG02004812015	Bethlehem Area Vocational Technical School c/o Brian Williams, Executive Director 3300 Chester Road Bethlehem, PA 18020-2870	Nancy Run (CWF, MF)	Northampton County Conservation District 610-746-1971
Pittston Township Luzerne County	PAG02004013005	Mericle 500 Sathers, LLC Mericle 600 Sathers, LLC Mericle 700 Sathers, LLC c/o Robert Mericle 100 Baltimore Drive Wilkes-Barre, PA 18702	Unnamed tributary to Mill Creek, (CWF, MF)	Luzerne County Conservation District 570-674-7991
Allen Township Northampton County	PAG02004813007	Hampton Ridge Associates c/o Tim Livengood 4661 Lehigh Drive Walnutport, PA 18088	Lehigh River (TSF, MF)	Northampton County Conservation District 610-746-1971
Foster Township Luzerne County	PAG02004010023R	Michael E. Kotch 450 Ridge Street Freeland, PA 18224	Black Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

<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>
Allegheny & Blair Townships, Blair County	PAG02000713009	Marcellus GTL, LLC 10 Gilberton Road Gilberton, PA 17934	Dry Run (WWF) & Blair Gap Run (TSF)	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Hampden Township, Cumberland County	PAG02002113019	Nestle Purina Petcare Jason Benini 6509 Brandy Lane Mechanicsburg, PA 17050	Trindle Spring Run (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Allen Township, Cumberland County	PAG02002103033R	Cindy Arnold-Steele Meadowview Estates 1929 Fisher Road Mechanicsburg, PA 17055	UNT to Yellow Breeches Creek (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
East Lampeter Township, Lancaster County	PAG02003613028	Travelers Rest Motel, Inc. 20 Leven Road Gordonville, PA 17529	Pequea Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township, Lancaster County	PAG02003613048	Boyd Wilson Village, LLC 600 Olde Hickory Road Lancaster, PA 17601	Landis Run (WWF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

*Facility Location:  
Municipality &  
County*

<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>
Lower Paxton Township, Dauphin County	PAG02002206031RR	Palm Development, Inc. 325 Laudermilch Road Hershey, PA 17033	Beaver Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Tulpehocken Township, Berks County	PAG02000613017	Rufus H. Martin 20 Deck Road Richland, PA 17087	Trib. 09939 to Little Swatara Creek (CWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Ontelaunee Township & Leesport Borough, Berks County	PAG02000613001	Kirk Sears, Lift, Inc. 3745 Hempland Road Mountville, PA 17554	Schuylkill River (WWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Marion Township, Berks County	PAG02000613022	Dwayne Brubaker 81 Kreider Road Myerstown, PA 17067	Owl Creek (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Tulpehocken Township, Berks County	PAG02000613019	Mike Forry 7 Strausstown Lane Bethel, PA 19507	01908 to Little Northkill & Little Swatara Creek (CWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

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

*Facility Location:  
Municipality &  
County*

<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>
Wysox Township Bradford County	PAG02000813006	Andrew Bishop Wysox S&G Inc 22488 Route 187 Wysox PA 18854	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Patton Township Centre County	PAG02001413003	Penn State University Office of Physical Plant 101P Physical Plant Bldg University Park PA 16802	UNT to Big Hollow CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817

## 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>
Ferguson Township Centre County	PAG02001413005	Pine Hall Devel Co Inc 1653 Circleville Rd State College PA 16803	UNT to Big Hollow CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Goshen & Bradford Townships Clearfield County	PAG02001713005	PA Dept of Transportation Dist 2-0 PO Box 342 Clearfield PA 16830	W.B. Susquehanna River WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Mahoning & Valley Townships Montour County	PAG02004704002R	Danville Associates 2300 S Atherton St State College PA 16801	Sechler Run CWF Kase Run CWF	Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 Phone: (570) 271-1140

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Shippingport Borough Ohioville Borough Industry Borough South Beaver Township Beaver County	PAG02000413015	American Transmission Systems, Inc. 76 South Main Street Akron, OH 44308	Ohio River (WWF-N), Wolf Run (WWF), Sixmile Run (WWF), Bieler (WWF), S. Branch Bradys Run (TSF), Pine Run (HQ-CWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Portage Township Cambria County	PAG02001111016-1	The Municipal Authority of the Borough of Portage 606 Cambria Street Portage, PA 15946	Spring Run (CWF), North Branch of the Little Conemaugh River (CWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
Cambria Township Cambria County	PAG02001113003	EBN Properties, LP 1 Atlantic Avenue Pittsburgh, PA 15202	UNT to the South Branch of Blacklick Creek (CWF) and Howells Run (CWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
City of Johnstown Cambria County	PAG02001113005	Richard Bosserman 211 Central Ave. Johnstown, PA 15902	Stonycreek River (WWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
Centre County, Rush Township	PAG2091413003	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Moshannon Creek & Unnamed Tributary to Moshannon Creek/ TSF & CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*Shippingport Boro  
Beaver Cnty

PAR216142

FirstEnergy Generation, LLC  
PO Box 128  
Shippingport, PA 15077

Haden Run

Southwest Regional  
Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412-442-4000Monroeville Boro  
Allegheny Cnty

PAR216115

Stone & Co Inc.  
4135 Old Wm Penn Hwy  
Monroeville, PA 15146

Thompson Run

Southwest Regional  
Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412-442-4000Clairton City  
Allegheny Cnty

PAR806283

Transtar, Inc.  
1200 Penn Ave  
Ste 300  
PGH, PA 15222

Monongahela River

Southwest Regional  
Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412-442-4000S Strabane Twp  
Washington Cnty

PAR116134

Caterpillar Global Mining  
America, LLC  
255 Berry Rd  
Washington, PA 15301UNT to Chartiers  
CreekSouthwest Regional  
Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412-442-4000Penn Hills Twp  
Allegheny Cnty

PAR606175

ACE Auto Wrecking, Inc.  
4550 Verona Rd  
Verona, PA 15147

Sandy Creek

Southwest Regional  
Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412-442-4000Fallowfield Twp  
Washington Cnty

PAR806275

NAGCO  
2 Madison Ave  
Larchmont, NY 10538UNT to  
Monongahela RiverSouthwest 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**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*Adams Township  
Butler County

PAR808378

Purvis Brothers, Inc.  
PO Box 957  
321 Mars-Valencia Road  
Mars, PA 16046-0957Breakneck Creek  
20-CDEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942

*General Permit Type—PAG-4**Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Harborcreek Township Erie County	PAG041107	Mark A Bliley 8536 E Lake Road Erie, PA 16511	Unnamed Tributary to Lake Erie	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Sadsbury Township Crawford County	PAG041109	Carol Millett 10220 US Highway 322 Conneaut Lake, PA 16316	Unnamed Tributary to Conneaut Outlet 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-5**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>
Carroll Twp Washington Cnty	PAG056248	Coen Oil Co PO Box 34 1045 W Chestnut St Washington, PA 15301	Pigeon Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Washington City Washington Cnty	PAG056231	Coen Oil Co PO Box 34 1045 W Chestnut St Washington, PA 15301	Catfish 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**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>
Clarion Borough Clarion County	PAG058391	Northwest Savings Bank (Clarion Gulf) PO Box 128 100 Liberty Street, Warren, PA 16365	Clarion River	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-7**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County / Ephrata Township	PAG073508	Ephrata Borough Authority 124 South State Street Ephrata, PA 17522		DEP-SCRO-Clean Water Program 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-8**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County / Brecknock Township	PAG083521	Borough of Adamstown 3000 N. Reading Road PO Box 546 Adamstown, PA 19501		DEP-SCRO-Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-9 (SSN)**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Farmington Township, Tioga County.	PAG 09 4808	B&L Portable Toilet Rental; Inc. 551 Farmington Hill Road, Tioga, PA 16946	B&L Portable Toilet Rental; Inc. Farmington Township, Tioga County.	NCRO 570-327-0526

*General Permit Type—PAG-10**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lathrop Township Susquehanna County	PAG102290	Williams Field Service Co. LLC (Kinner Pipeline Project) 2000 Commerce Drive Pittsburgh, PA 15275	Unnamed Tributary to Horton Creek and Unnamed Tributaries to Meshoppen Creek—4F and 4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-12*

*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>
PAG124826 (CAFO)	Katzmaier's Meadow Moo Dairy Farm 521 Katzmaier Road Montoursville, PA 17754	Eldred Township Lycoming County	UNT to Mill Creek (10-B)	Y

*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>
Ridley Township Delaware County	PAG130084	Ridley Township Delaware County 100 E Macdade Boulevard Folsom, PA 19033	Chester Creek, Crum Creek, Darby Creek, Little Crum Creek, Muckinipattis Creek, Ridley Creek and Unnamed Tributary to Darby Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Sellersville Borough Bucks County	PAG130155	Sellersville Borough Bucks County 140 East Church Street Sellersville, PA 18960	East Branch Perkiomen Creek and Unnamed Tributary to East Branch Perkiomen Creek—3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

NOTICES

4643

*Facility Location:  
Municipality &  
County*

Limerick Township  
Montgomery County

*Permit No.*  
PAG130148

*Applicant Name &  
Address*  
Limerick Township  
Montgomery County  
646 W Ridge Pike  
Limerick, PA 19468

*Receiving  
Water / Use*  
Brooke Evans Creek,  
Landis Creek, Mingo  
Creek, Schuylkill  
River and Unnamed  
Tributary to  
Schuylkill River—  
3-D and 3-E

*Contact Office &  
Phone No.*  
DEP Southeast  
Regional Office  
Clean Water Program  
2 E Main Street,  
Norristown, PA 19401  
484.250.5970

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

*NPDES  
Permit No.*

PAG133702

*Applicant Name &  
Address*  
West Lebanon Township  
John Brenner  
322 North 22nd Street  
Lebanon, PA 17046

*County Municipality*  
Lebanon West Lebanon Township

*Receiving  
Water/Use*  
Quittapahilla  
Creek / TSF &  
MF

*Contact Office &  
Phone No.*  
DEP  
Southcentral  
Regional Office  
Clean Water  
Program  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717.705.4707

PAG133700

Cornwall Borough  
Steve Danz  
36 Burd Coleman Road  
PO Box 667  
Cornwall, PA 17016

Lebanon Cornwall Borough

Snitz Creek,  
UNT Snitz  
Creek, & UNT  
Quittapahilla  
Creek / TSF &  
MF

DEP  
Southcentral  
Regional Office  
Clean Water  
Program  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717.705.4707

PAG133599

Swatara Township  
Reginald Daubert  
68 Supervisors Drive  
Jonestown, PA 17038

Lebanon Swatara Township

Little Swatara  
Creek, Swatara  
Creek, UNT  
Little Swatara  
Creek, UNT  
Swatara Creek /  
WWF & MF

DEP  
Southcentral  
Regional Office  
Clean Water  
Program  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717.705.4707

PAG133703

Myerstown Borough  
Eric Powell  
101 East Washington  
Avenue  
Myerstown, PA 17067

Lebanon Myerstown Borough

Tulpehocken  
Creek / TSF &  
MF

DEP  
Southcentral  
Regional Office  
Clean Water  
Program  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717.705.4707

*Facility Location:  
Municipality &  
County*

Pulaski Twp  
Beaver Cnty

*Permit No.*  
PAG136156

*Applicant Name &  
Address*  
Pulaski Twp  
3401 Sunflower Rd  
New Brighton, PA 15066

*Receiving  
Water/Use*  
Blockhouse Run

*Contact Office &  
Phone No.*  
Southwest Regional  
Office:  
Clean Water  
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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use	DEP Protocol (Y/N)
PAG138329	Butler City Butler County 124 West North Street, Butler, PA 16001	Butler	City of Butler	Coal Run, Connoquenessing Creek, Sullivan Run, and an Unnamed Tributary to Sullivan Run 20-C	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.

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Approved or Disapproved
Stone Hog Production LLC John & Bronson Stone 12547 Stage Road McClure, PA 17841	Snyder	140 Acres	975.91	Swine	N/A	Action
		70.7 owned for manure application				
		31.7 rented for manure application				

### 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**

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

**Permit No. 0912534**, Public Water Supply.

Applicant **Buckingham Township**  
P. O. Box 413  
Buckingham, PA 18912

Township Buckingham

County **Bucks**

Type of Facility PWS

Consulting Engineer Castle Valley Consultants, Inc.  
10 Beulah Road  
New Britain, PA 18901

Permit to Construct Issued July 12, 2013

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

**Permit No. 2213503 MA, Minor Amendment**, Public Water Supply.

Applicant **United Water Pennsylvania, Inc.**

Municipality Susquehanna Township

County **Dauphin**

Responsible Official John D Hollenbach, Vice President  
4211 East Park Circle  
Harrisburg, PA 17111-0151

Type of Facility Installation of a 2nd orthophosphate storage tank at the 6th St. Filtration Plant and the removal of the altitude valve at the 6th St. elevated tank.

Consulting Engineer Arthur Saunders, P.E.  
United Water Pennsylvania  
4211 East Park Circle  
Harrisburg, PA 17111

Permit to Construct Issued: 7/25/2013

**Operations Permit** issued to: **Pennsylvania American Water Company**, 7220017, North Annville Township, **Lebanon County** on 7/24/2013 for the operation of facilities approved under Construction Permit No. 3812502 MA.

**Operations Permit** issued to: **Halifax Area Water & Sewer Authority**, 7220040, Halifax Township, **Dauphin County** on 7/24/2013 for the operation of facilities submitted under Application No. 2212511 MA.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448*

**Permit No. 4913501—Construction** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Township/Borough Coal Township

County **Northumberland**

Responsible Official Mr. Marc A. Lucca  
Aqua Pennsylvania, Inc.  
726 West Lancaster Avenue  
Bryn Mawr, PA 19010

Type of Facility Public Water Supply

Consulting Engineer Peter Lusardi, P.E.  
CET Engineering Services GHD  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit Issued July 9, 2013

Description of Action Installation of chloramination systems at the Roaring Creek Filtration Plant and Brush Valley Wells Treatment Plant to comply with State 2 D/DBPR.

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

**Permit No. 2412503** Public Water Supply

Applicant **Jay Township Water Authority**

Township or Borough Jay Township

County **Elk**

Type of Facility Public Water Supply

Consulting Engineer Peter C. Buss, P.E.  
Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
Latrobe, PA 15650

Permit to Construct Issued July 23, 2013

Cancellation of Permit issued to Terry L. King and Penny J. King d/b/a Sugar Grove Mobile Home Park, PWSID #6430065, Sugar Grove Township, Mercer County on July 23, 2013. This action represents the cancellation of Permit Numbers 4390505 and 4310506 issued May 17, 1991 and July 18, 2011. This action is a result of Sugar Grove Mobile Home Park 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.**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA 18-400E, Water Allocations. Suburban Lock Haven Water Authority**, 326 Main Street, Mill Hall, PA 17751, Borough of Mill Hall, **Clinton County**. This Water Allocation Permit grants Suburban Lock Haven Water Authority the right to purchase 1.40 million gallons per day, based on a 30-day average, from the City of Lock Haven. The allocation granted takes into account reasonable projections of future use that can be supported by past data or documentation. The allocation granted also reflects a reduction in unaccounted for water loss to 20% (excluding bulk sales), which must be achieved within five years of the date of this permit (July 5, 2013).

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Strasburg Township	400 Bunker Hill Rd Strasburg, PA 17579	Lancaster

*Plan Description:* Approval of an Update to the Official Sewage Plan of Strasburg Township, Lancaster County. The plan revision provides for public sewers to serve the Village of Refton in 5 years. The public sewers will be made up of a sewage treatment facility with disposal in on lot disposal beds. Public sewers will also be provided to the Creekview Area in 10 years with treatment to occur at the Strasburg Borough Authority sewage system. Public sewers will only be provided along the Rt 896 Hartman Bridge Rd area as developers provide them, with treatment to occur at the Hershey Farm Private Wastewater treatment facility. The Plan also will provide amendments to the Township's On Lot Management Ordinance to require inspection and testing of on lot systems on a three year rotating basis. A Mandatory Connection Ordinance will also be provided. Any required WQM Permits must be obtained in the name of the Township. The DEP Code Number for this plan update is B3-36952-ACT and the APS number is 363773.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Freedom Township	2184 Pumping Station Road Fairfield, PA 17320-9313	Adams

*Plan Description:* Approval of a revision to the official plan of Freedom Township, Adams County. The project is known as Mason Dixon Country Club. The plan provides for a 1276.5 equivalent dwelling unit mixed residential/commercial and golf course development on 867 acres. The project will generate an estimated 293,070 gallons per day to a private sewage treatment plant with discharge via spray irrigation on golf courses, reservoir storage and/or stream discharge into Middle Creek. The proposed development is located on Emmitsburg Road in Freedom Township, Adams 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 A3-01915-100-3 and the APS Id is 814785. Any permits must be obtained in the name of Mason Dixon Utilities, Inc.

### HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

#### Public Notice of Proposed Consent Order and Agreement

#### Schiller Site

#### Richmond Township, Crawford County

ursuant to 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 provided that the Pennsylvania Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Crawford Energy Search Co., Inc. (CESC) concerning the CESC's ownership and redevelopment of the Schiller Site (Site).

The Site includes two properties, one containing approximately 107 acres and an adjacent property containing approximately 40 acres. Both properties are located along State Route 77, in Richmond Township, Crawford County Pennsylvania. Between 1970 and 1993, Frank Schiller, the owner and/or operator of the Site, disposed and/or allowed the disposal of waste materials there. These waste materials contained hazardous substances that contaminated the surface water, groundwater, soil, sediments at the Site.

Between 1993 and 2000, the Department conducted multiple response actions at the Site, including the investigation and cleanup of hazardous substances in drums, vats, soils, and sediments. However, the Department's groundwater monitoring efforts to date indicate that groundwater at the Site was, and continues to be impacted.

On November 17, 1997 the Court of Common Pleas of Crawford County issued a final judgment against Frank Schiller for the Department's costs for cleanup of the Site and the associated Presque Isle Chemical Site in the amount of \$7,352,663. A judgment of revival was granted to the Department on June 28, 2006. The Department continues to incur costs at the Site associated with maintaining treatment of a home well and groundwater monitoring at the Site.

On September 23, 2011, CESC was the successful bidder at a tax sale for the 107 acre parcel. On September 21, 2012, CESC was the successful bidder at a tax sale for the 40 acre parcel. CESC intends to use the Site property for agricultural use. CESC is aware of the hazardous substances which remain in the groundwater at the Site. CESC, while not a responsible party at the Site acknowledges that it will be responsible for maintaining the Department's response actions at the Site.

CESC proposes to pay a total of \$118,797.05 to the Department for releasing the Site from the Department's lien against Frank Schiller. The balance of the lien against Frank Schiller will remain against his other assets besides the Site property.

The Department will receive and consider comments relating to the CO&A for sixty (60) days from the date of this Public Notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with CESC shall be effective upon the date that the Department notifies CESC in writing, that the CO&A is final and effective in its present form, and that the Department has filed a response to significant written comments to the CO&A, or that no such comments were received.

The CO&A is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, Pennsylvania. Comments may be submitted, in writing, to Mr. Gary Mechtly, Project Manager. Mr. Mechtly can be reached in the Department's Northwest Regional Office, located at 230 Chestnut Street, Meadville, PA 16335, telephone: 814-332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at 800-645-5984.

**Settlement under the Hazardous Sites Cleanup Act  
and Comprehensive Environmental Response,  
Compensation And Liability Act  
Berkley Products Site  
Akron Borough and West Earl Township, Lancaster  
County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into proposed settlements with 12 generators (“Settlers”) of hazardous waste to Berkley Products. The settlements are set forth in consent orders and agreements with the Department.

The proposed settlements resolve claims of the Department with the Settlers under HSCA and CERCLA for the Department’s response costs, as defined in HSCA, for the Berkley Products Company Plant Site (Site), 405 South 7th Street, Akron PA 17501.

The proposed settlements obligate the Settlers to remit money to the Department based upon the gallons of hazardous waste they generated or transported to the Site. The Department believes that the proposed settlements are fair, reasonable, and practicable, in the public interest and in furtherance of the statutory goals of HSCA and CERCLA.

For a period of 60 (sixty) days beginning with the August 10, 2013, publication date of this Notice in the *Pennsylvania Bulletin*, the public is invited to review the Consent Order and Agreements and the Administrative Record Monday through Friday, from 8 a.m. to 4 p.m., at the Department’s South-Central Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting David Hrobuchak, at (717) 705-4843.

After review, the public may submit written comments on the Consent Order and Agreements before October 10, 2013, by mailing them to David Hrobuchak at the Department’s South-Central Regional Office at the address noted above. A person adversely affected by any of the settlements may also file an appeal to the Environmental Hearing Board.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act’s remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate

that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Southern Tier Plastics Property**, (New Milford Sr. Housing), 115 Church St, New Milford Borough, **Susquehanna County**, Martin Gilgallon, Pennsylvania Tectonics, 723 Main Street, Archbald, PA 18403, has submitted a Remedial Investigation Report, Cleanup Plan and Final Report on behalf of his client, Susquehanna County Housing Development Corporation, 33 Public Avenue, Montrose, PA 18801, concerning the remediation of soil and groundwater from metals, SVOCs, and PCBs as a result from historical operations at the former leather tannery, silk mill and plastics manufacturer. The report was submitted to document attainment of the Site-Specific Standard for soil and groundwater and the Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Scranton Times* on June 27, 2013.

**Kasper Residence**, 924 State Route 29, **Luzerne County**, James Sposito, James, P. Sposito, Associates, has submitted a Final Report on behalf of his clients, Michael and Barbara Kasper, 924 State Route 29, Sweet Valley, PA 18656, concerning the remediation of soil found to have been impacted by #2 fuel oil from a malfunctioned hose connected to the delivery truck while making a delivery to a 275 gallon aboveground storage tank. The report was submitted to document attainment of Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Suburban News* on June 12, 2013.

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

**EXCO Resources (PA) LLC**. Lougee 4H Pad, Washington Township, **Jefferson County**. Hull & Associates, Inc., 300 Business Center Drive, Suite 320, Pittsburgh, PA 15205 on behalf of EXCO Resources (PA), LLC., 3000 Ericsson Drive, Suite 200, Warrendale, PA 15086 has submitted a Remedial Investigation / Final Report concerning remediation of site soils contaminated with Barium, Boron, Calcium, Magnesium, Manganese, Potas-

sium, Sodium, Strontium, and Chloride. The report is intended to document remediation of the site to meet the Site-Specific, Statewide Health, and Background Standards.

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

**City of Jeannette**—300 Block, 300 block of South 6th Street (except 310 & 312), City of Jeannette, **Westmoreland County**. Cribbs & Associates, Inc., PO Box 44, Delmont, PA 15626 on behalf of City of Jeannette, 110 South 2nd Street, Jeannette, PA 15644 has submitted a Final Report to remediate site soil contaminated with Arsenic. The report is intended to document that site soils meet the Background Standard. Future use of the property will continue to be residential. Notice of the submittal was published in the *Tribune Review* on May 30 2013.

**City of Jeannette**—400 Block, (even numbers of) 400 block of South 6th Street, City of Jeannette, **Westmoreland County**. Cribbs & Associates, Inc., PO Box 44, Delmont, PA 15626 on behalf of City of Jeannette, 110 South 2nd Street, Jeannette, PA 15644 has submitted a Final Report which documents remediation of site soils contaminated with arsenic that meet the statewide health standard was submitted on July 17 2013. Future use of the property will continue to be residential.

Notice of the submittal was published in the *Tribune Review* on May 30 2013.

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

**William Platt #1 Property**, 1181 Yankee Hill Road, Blacklick Township, **Indiana County**, Environmental Products & Services of Vermont, Inc. 5100 Paxton Street, Harrisburg, PA 17111, on behalf of XTO Energy, Inc., submitted a Final Report on July 29 2013 concerning remediation of site soils contaminated with VOC's and SVOC's. The report is intended to document remediation of the site to meet the residential Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of

sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Sherman Hills Apartment Complex**, 300 Parkview Circle, Wilkes-Barre City, **Luzerne County**, Daniel Nealon, Quad Three Group, Inc., has submitted a Final Report on behalf of his client, Sherman Hills Realty, 300 Parkview Circle, Wilkes-Barre, PA 18702, concerning the remediation of soil from Lead, Chromium, Antimony and Arsenic due to former operations of an incinerator on the property. The report documented attainment of the Site Specific Standards for soil and was approved on June 11, 2013.

**E. Fraser IV 3H 5H 7H 8H Well Pad**, Fraser Road, Forest Lake Township, **Susquehanna County**, Dawn Washo, Resource Environmental, has submitted a Final Report on behalf of her client, Andy Mehalko, Cabot Oil & Gas, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil from produced water at the Fraser Well Pad. The report documented attainment of the Statewide Health Standard and Background Standard for soil and was approved on July 8, 2013. The report was submitted within 90 days of the release.

**Heitsman 2V/4H Wellsite**, Troy Road (T-388), Dimock Township, **Susquehanna County**, James Pinta, Civil & Environmental Consultants, Inc., has submitted a Final Report on behalf of his client, Andy Mehalko, Cabot Oil & Gas, 5 Penn Center West, Suite 401, Pittsburgh, PA

15276, concerning the remediation of soil impacted by brine from an initial release from the top of a tank located on the well pad. The report documented attainment of the Statewide Health Standard and Background Standard for soils and was approved on July 3, 2013. The report was submitted within 90 days of the release.

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

**Norfolk Southern / Rutherford Intermodal Transfer Facility**, 5050 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Cardno MM&A, 535 Industrial Road, Bluefield, VA 24605, on behalf of Consolidated Rail Corporation, 1000 Howard Boulevard, Mount Laurel, NJ, 08054; and Norfolk Southern Railway Company, 1200 Peachtree Street, NE—Box 13, Atlanta, GA 30309 submitted a Final Report concerning groundwater contaminated with Fuel Oils (Nos. 2, 4, 5 and 6) and Lubricating Oils. The Final Report demonstrated attainment of the Site-Specific standard, and was approved by the Department on July 26, 2013.

**Ontelaunee Orchards**, 5548 Pottsville Pike, Leesport, PA 19533, Borough of Leesport and Ontelaunee Township, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., PO Box 13613, Reading, PA 19612 and Lift, Inc., 3745 Hempland Road, Mountville, PA 17554, submitted a Remedial Investigation Report, Risk Assessment Report, and Cleanup Plan concerning remediation of site soils and groundwater contaminated with arsenic. The Remedial Investigation Report, Risk Assessment Report, and Cleanup Plan were approved by the Department on July 29, 2013. The site is being remediated to meet a combination of Residential Statewide Health and Site-Specific standards.

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

**NLMK Pennsylvania Corporation (Fmr. Dufercor Farrell Corporation Facility)**, 15 Roemer Boulevard, City of Farrell, **Mercer County**. Cummings/Riter Consultants, Inc., 300 Penn Center Boulevard, Suite 800, Pittsburgh, PA 15235 on behalf of NLMK Pennsylvania Corporation, 15 Roemer Boulevard, Farrell, PA 16121, submitted a Final Report concerning the remediation of site soils contaminated with Arsenic, Barium, Cadmium, Chromium, Iron, Lead, Selenium, Silver, Zinc, PCB—Aroclor 1254, PCB—Aroclor 1260, and Mercury. The Report was disapproved by the Department on July 2, 2013.

**Metal Powder Products**, 150 Ford Road, City of St. Marys, **Elk County**. Mountain Research, LLC., 825 25th Street, Altoona, PA 16601 on behalf of Metal Powder Products, LLC., 16855 Southpark Drive, Suite 100, Westfield, IN 46074, submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soils contaminated with Trichloroethene, Vinyl Chloride, 1,3,5-Trimethylbenzene and site groundwater contaminated with Trichloroethene, cis-1,2-Dichloroethene, Vinyl Chloride, 1,1,1-Trichloroethane, 1,1-Dichloroethene, and 1,1-Dichloroethane. The Report was disapproved by the Department on July 11, 2013.

**Former Crompton Petrolia Facility**, 100 Sonneborn Lane (SR 268), Fairview Township, **Butler County**. WSP Environment & Energy, LLC., 750 Holiday Drive, Suite

410, Pittsburgh, PA 15220 on behalf of Sonneborn, Inc., 100 Sonneborn Lane, Petrolia, PA 16050 has submitted a Remedial Investigation & Risk Assessment Reports concerning remediation of site soils contaminated with Benzene, Arsenic, Lead, Manganese, Sulfonic Acids, Acetone, 2-butanone, Ethylbenzene, Isopropylbenzene, Tetrachloroethene (PCE), Toluene, Trichloroethene (TCE), 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB, Xylenes and site groundwater contaminated with Benzene, 1,2,3-trichlorobenzene, Arsenic, Beryllium, Chromium, Cobalt, Lead, Nickel, Sulfonic Acids, and 1,2,4-trimethylbenzene (TMB). The Report was disapproved by the Department on July 26, 2013.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

##### **Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**PA0000453084. Bethlehem Apparatus Company, Inc.**, 890 Front Street, Hellertown, PA 18055. A permit modification for the expansion of this Hazardous Waste facility located at 935 Bethlehem Drive in Bethlehem, **Northampton County** to include the adjacent building at 945 Bethlehem Drive. The new building, which will be used primarily for storage and decanting, will contain one storage area with the capacity to store up to two thousand 55-gallon drums. The permit modification was approved by the Regional Office on July 29, 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.

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PAD990753089; Exide Technologies**, P. O. Box 14294, Reading, PA 19612-4294. A Class 3 Permit Modification to Permit No. PAD 990753089 for: 1) the addition of Container Storage Area #2, 2) revisions to the facility's Environmental Emergency Response Plan, 3) clarification to Table D-1 (Hazardous Waste Tank summary table) and 4) updates to the Closure and Post-Closure Cost Estimate for the Exide Technologies Reading Smelter facility located at Spring Valley Road and Nolan Street in Laureldale Borough and Muhlenberg Township, **Berks County** was issued by the Department on July 30, 2013.

#### **REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS**

##### **Registration for General Permit issued under the Solid Waste Management Act; and Municipal Waste Regulations for a General Permit To Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM042SC007. Keith Spicher**, Kish View Farm Partnership, 4733 East Main Street, Belleville, PA 17004-9296. The Department of

Environmental Protection has issued a registration under General Permit WMGM042 to Kish View Farm Partnership. This registration is for their location at 4733 East Main Street Belleville in Union Township, **Mifflin County**. The registration was issued on July 24, 2013. Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**DETERMINATION OF APPLICABILITY FOR  
INFECTIOUS AND CHEMOTHERAPEUTIC WASTE  
GENERAL PERMITS**

**Determination of Applicability for General Permit Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Infectious and Chemotherapeutic Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.**

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

**General Permit No. WMGI005D. Merck Sharp and Dohme Corporation**, 140 Wissahickon Avenue, 502 and 503 Louise Lane, North Wales PA 19454. This Determination of Applicability is for the permit reissuance resulting from a legal entity integration changing the permittee's name from Merck and Company, Inc., to Merck Sharp and Dohme Corporation. The permit affected by this reissuance is the above-referenced Solid Waste Permit for the Merck Sharp & Dohme Corporation—North Lane Facility located in Upper Gwynedd Township, **Montgomery County**. The application for determination of applicability was issued by the Southeast Regional Office on July 11, 2013.

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

**Permits issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 100345. Delaware County Solid Waste Authority**. (Rolling Hills Landfill) 583 Longview Road, Boyertown, PA 19512-7955, located in Earl Township, **Berks County**. Major permit modification Form R revision (Waste Analysis and Classification Plan). Modification issued approving revisions to the previously approved Waste Analysis and Classification Plan to bring it up to date with current regulations, standards and practices, and to accept additional residual waste streams. Modification issued on July 25, 2013, for Solid Waste Permit No. 100345 for the operation of the Rolling Hills Landfill, in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP3-09-0114: Premium Excavating, LLC**. (85 North Main Street, Yardley, PA 19067) on July 26, 2013, to operate a portable nonmetallic mineral processing plant in Yardley Borough, **Bucks County**.

**GP9-09-0043: Premium Excavating, LLC**. (85 North Main Street, Yardley, PA 19067) on July 26, 2013, to operate a diesel-fired engine (one unit 225 BHP) in Yardley Borough, **Bucks County**.

**GP3-15-0065: Highway Materials, Inc.** (680 Morehall Road, Malvern, PA 19422) on July 26, 2013, to operate a portable nonmetallic mineral processing plant in East Whiteland Township, **Chester County**.

**GP9-15-0019: Highway Materials, Inc.** (680 Morehall Road, Malvern, PA 19422) on July 26, 2013, to operate (2) two diesel/#2 fuel-fired internal combustion engines in East Whiteland 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.*

**GP1-22-03043A: The Middletown Home** (999 West Harrisburg Pike, Middletown, PA 17057) on July 23, 2013, for the two natural gas/#2 oil-fired boilers, under GP1, at their nursing home facility in Lower Swatara Township, **Dauphin County**. The general permit authorization was renewed.

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

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

**GP5-12-062: EQT Gathering, LLC** (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222-3114) on July 25, 2013, to construct and operate one (1) 100 Million cubic per day, tri-ethylene glycol dehydration unit, two (2) natural gas-fired micro turbines and three (3) storage tanks at their Whippoorwill Interconnect Station to the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP5) at the Whippoorwill Interconnect Station located in Shippen Township, **Cameron County**.

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP5-26-00572B: Texas Keystone, Inc.** (560 Epsilon Drive, Pittsburgh, PA 15238) on July 24, 2013, to install

and operate a replacement natural gas compressor engine with three-way catalyst control rated at 203 bhp at their Ryan Compressor Station in Wharton Township, **Fayette County**. A total of one compressor engine is authorized for operation at this site.

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

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

**GP5-25-1034A: Emkey Gas Processing—Union City Gas Plant** (9564 Concord Road, Union City, PA 16438) on July 17, 2013, to operate two (2) Lean Burn Two Stroke Natural Gas Engines, Ajax Model Nos. DPC-2804LE rated 728 bhp at 440 rpm (BAQ-GPA/GP-5) in Union Township, **Erie County**.

**GP5-42-237B: Triana Energy, LLC—Minard Run Plant** (1113 MROC-B Drive, Bradford, PA 16701) on July 19, 2013, to operate a Lean Burn Four Stroke Natural Gas Engine, Caterpillar Model No. G3408C, rated 425 bhp at 1,800 rpm (BAQ-GPA/GP-5) in Bradford Township, **McKean County**.

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**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**18-00006M: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on July 25, 2013, to establish performance or emission standards for the boilers and process heaters at their Leidy Transmission Station in Leidy Township, **Clinton County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD applicable to the boilers and process heaters at the facility.

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

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

**43-152B: JMC Steel Group—Wheatland Tube Division—Mill Street Plant** (134 Mill Street, Sharon, PA 16146) on July 17, 2013, to reactivate Source 102 (Buttweld Furnace) in Sharon City, **Mercer County**. This is a State Only facility.

**43-290C: NLMK Pennsylvania—Sharon Coating, LLC** (15 Roemer Boulevard, Farrell, PA 16121) on July 19, 2013, to modify emission limits for sources 101 and 102, in synthetic minor operating permit 43-00290 in Sharon City, **Mercer County**. The facility manufactures hot dip galvanized and galvanized steel coils.

**62-150D: Superior Tire & Rubber Corp.** (1818 Pennsylvania Avenue W, PO Box 308, Warren, PA 16365) on July 17, 2013, to construct a new adhesive spray booth in Warren City, **Warren County**. This is a State Only facility.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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*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 July 23, 2013, as a result of equipment startup, to establish the 180-day period of temporary operation of one new Caterpillar G3612LE lean burn natural gas-fired compressor engine rated at 3,550 bhp and controlled by an oxidation catalyst authorized under plan approval PA-65-00979A at their Herminie Compressor Station in South Huntingdon Township, **Westmoreland County**.

**65-01024A: Aquion Energy** (1001 Technology Drive, Mt. Pleasant, PA 15666) on July 23, 2013, as a result of equipment startup, to establish the 180-day period of temporary operation of one calciner controlled by a dust collector and one natural gas-fired process heater rated at 2.732 MMBtu/hr authorized under plan approval PA-65-01024A at Aquion Energy's facility in East Huntingdon Township, **Westmoreland County**.

**30-00055A: Shannopin Materials, LLC** (308 Dents Run Rd., Morgantown, WV, 26501) on July 30, 2013, for a plan approval extension application to extend the plan approval until construction of the final component of the facility is complete. Extension of the plan approval has been approved until January 29, 2014 in Monongahela Township, **Greene County**. The plan approval has been extended.

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

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

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

**46-00039: Exelon Generation Co.—Moser Generating Station** (Moser and Yost Streets, Pottstown, PA 19464) on July 26, 2013, to operate an electrical power peak generating station in Lower Pottsgrove Township, **Montgomery County**. As a result of potential emissions of NO<sub>x</sub> and SO<sub>x</sub>, the Moser facility is a major stationary source, as defined in the Clean Air Act. The renewal contains applicable 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.*

**06-05044: PA Department of Public Welfare—Wernersville State Hospital** (PO Box 300, Wernersville, PA 19565-0300) on July 15, 2013, for the boilers and generators at the Wernersville State Hospital in South Heidelberg Township, **Berks County**. The Title V permit was renewed.



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

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

**19-00001: Autoneum North America, Inc.** (480 West Fifth Street, Bloomsburg, PA 17815) on July 25, 2013, to renew the Title V Operating Permit for their facility in the Town of Bloomsburg, **Columbia County**. The Title V operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**46-00237: Commerce Drive Enterprises, LLC—dba Numonics** (101 Commerce Drive, Montgomeryville, PA 18936) on July 26, 2013, for renewal of a State Only, Synthetic Minor Operating Permit in Montgomery Township, **Montgomery County**. The facility operates an adhesive spray booth in the manufacture of interactive whiteboard products. There have been no source changes or modifications to the source since this operating permit was last issued. Commerce Drive Enterprises, LLC is categorized as a synthetic minor facility. The permit includes monitoring, record keeping and reporting requirements designed to address 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.*

**67-05015: Top Flight, Corp.** (277 Commerce Drive, Glen Rock, PA 17327-8625) on July 19, 2013, for their label printing facility in Springfield Township, **York County**. The State-only permit was renewed.

**21-05052: Valk Manufacturing, Co.** (66 East Main Street, PO Box 428, New Kingstown, PA 17072-0428) on July 19, 2013, for their snow plow and blade manufacturing facility in Silver Spring Township, **Cumberland County**. The State-only permit was renewed.

**21-03078: Carlisle Coatings & Waterproofing, Inc.** (1275 Ritner Highway, Carlisle, PA 17013-9381) on July 19, 2013, for their asphalt felt and coating manufacturing facility in Carlisle Borough, **Cumberland County**. The State-only permit was renewed.

**22-03004: HB Reese Co.** (925 Reese Avenue, Hershey, PA 17033-2271) on July 24, 2013, for their chocolate candy manufacturing facility at 925 Reese Avenue in Derry Township, **Dauphin 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*

**56-00265: Abilene Boot Co., Inc.** (841 South Center Avenue, Somerset, PA 15501) for operation of a western and military boot manufacturing facility in Somerset Township, **Somerset County**. The facility consists of

various shoe manufacturing equipment including several spray booths for the application of various glues, cements, adhesives, and other solvents. The facility also contains a cyclone/baghouse system for capturing particulate emissions from trimming/grinding/buffing operations. The proposed authorization is subject to State and Federal Regulations. The permit includes emission limits as well as operation, monitoring, reporting, and recordkeeping requirements.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00025: Johnson Matthey, Inc.** (900 River Road, Conshohocken, PA 19428) on July 26, 2013, in Upper Merion Township, **Montgomery County**. Title V Operating Permit Minor Modification issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462. Modification is to allow the replacement of the condenser with a new condenser of equal or better control efficiency. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

**23-00003: Monroe Energy, LLC** (4101 Post Road, Trainer, PA 19061) on July 26, 2013, for the refinery in Trainer Borough, **Delaware County**. The operating permit was for minor modification to a Peabody Heater. The modified operating permit contains the applicable regulatory requirements including monitoring, recordkeeping, and emission limits.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).**

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*Coal Permits Issued*

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

**65091301 and GP12-65091301-R1. C&D Coal Company, LLC**, (145 Ivy Lane, Tazewell, VA 24651). To revise the permit for the Kingston-West Mine in Derry Township, **Westmoreland County** to establish an emission

inventory for coal handling based on a maximum total annual raw coal throughput at the facility of 495,000 tons per calendar year. Emission sources consist of transfers and conveyors, storage pile manipulation, storage pile wind erosion, screen, truck loading at stockpiles and haul road. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-65091301-R1. The application was considered administratively complete on April 26, 2013. Application received April 26, 2013. Permit issued July 25, 2013.

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

**65840119 and NPDES Permit No. PA0601047. Derry Stone & Lime Co., Inc.** (117 Marcia Street, Latrobe, PA 15650). Renewal permit for continued operation and reclamation issued to an existing bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 643.7 acres. Receiving streams: unnamed tributaries to Stony Run and McGee Run. Application received: May 23, 2012. Permit issued: July 24, 2013.

**65-06-05 and NPDES Permit No. PA0252131. Coal Loaders, Inc.** (P. O. Box 556, Ligonier, PA 15658). Government Financed Construction Contract issued for reclamation project, located in Ligonier Township, **Westmoreland County**, affecting 15.1 acres. Receiving stream: unnamed tributary to Hannas Run. GFCC application received: May 25, 2011. Permit issued: July 25, 2013.

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

**54803204R5. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Butler and Conyngham Townships, **Schuylkill and Columbia Counties** affecting 24.6 acres, receiving stream: unnamed tributary to Mahanoy Creek. Application received: July 8, 2010. Renewal issued: July 29, 2013.

**54803204GP104. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49803204 in Butler and Conyngham Townships, **Schuylkill and Columbia Counties**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: September 28, 2011. Permit issued: July 29, 2013.

#### *Noncoal Permits Actions Issued*

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

**Permit No. 31120801 and NPDES Permit No. PA0269131, Robert B. Colton**, 11368 Old Town Road, Huntingdon, PA 16652, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Miller Township, **Huntingdon County**, affecting 4.3 acres. Receiving streams: unnamed tributaries to Standing Stone Creek, classified for the following use: High Quality Cold Water Fishery. Application received February 16, 2012. Permit Issued July 24, 2013.

**Permit No. 31120801 and NPDES Permit No. PA0269131, Robert B. Colton**, 11368 Old Town Road, Huntingdon, PA 16652. Individual NPDES Permit associated with mining activities, SMP No. 32120801 located in Miller Township, **Huntingdon County**. Receiving streams: Standing Stone Creek, classified for the following use: High Quality Cold Water Fishery. Application received June 5, 2012. Permit Issued July 24, 2013.

**Permit No. 28110801, Amos James Rowland**, 12019 Kemps Mill Road, Williamsport, MD 21795, commencement and restoration of a small noncoal (industrial minerals) operation in Warren Township, **Franklin County**, affecting 7.0 acres, receiving stream: Little Cove Creek. Application received September 8, 2011. Permit issued July 24, 2013.

**Permit No. 28110801-GP104. Amos James Rowland**, 12019 Kemps Mill Road, Williamsport, MD, 21795. General NPDES Permit for storm water discharges associated with mining activities on Surface Mining Permit No. 28110801 located in Warrant Township, **Franklin County**. Receiving stream: Little Cove Creek classified for the following uses: cold water fishery. There are no potable water supplies located within 10 miles downstream. Application received June 21, 2012. Permit Issued July 24, 2013.

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

**08120302 and NPDES No. PA0257443. Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034). Commencement, operation and restoration of a large industrial minerals mine (sand and gravel) operation located in Sheshequin Township, **Bradford County** affecting 77.38 acres. This application replaces SMP No. 08100305. Receiving stream(s): Susquehanna River classified for the following use(s): Cold Water Fishes. Application received: May 23, 2012. Permit issued July 16, 2013.

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

**7773SM1A2C10 and NPDES Permit No. PA0595322. Reading Materials, Inc.**, (PO Box 1467, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Douglass Township, **Berks County** affecting 335.0 acres, receiving stream: unnamed tributary to Schuylkill River. Application received: May 30, 2012.

**40920301C4. Riverview Block, Inc.**, (1507 Salem Boulevard, Berwick, PA 18603), boundary correction to an existing quarry operation in Salem Township, **Luzern County** affecting 117.0 acres, receiving streams: Salem Creek and unnamed tributary to Susquehanna River. Application received: November 2, 2010. Correction issued: July 29, 2013.

**40920301GP104. Riverview Block, Inc.**, (1507 Salem Boulevard, Berwick, PA 18603), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40920301 in Salem Township, **Luzerne County**, receiving streams: Salem Creek and unnamed tributary to Susquehanna River. Application received: March 12, 2013. Permit issued: July 29, 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*

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

**59134004. Precision Geophysical, Inc.** (2695 SR 83 South, Millersburg, OH 44654). Blasting for seismic ex-

ploration located in Covington, Sullivan, Richmond, and Ward Townships, **Tioga County** with an expiration date of December 31, 2013. Permit issued July 18, 2013. Correction to permit number previously stated as 49134004.

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

**36134135. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stone Henge Reserve in Manheim Township, **Lancaster County** with an expiration date of July 30, 2014. Permit issued: July 23, 2013.

**36134136. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Weatherburn Commons East Meadows in Manheim Township, **Lancaster County** with an expiration date of July 30, 2014. Permit issued: July 23, 2013.

**58134137. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Taylor Pipeline in Lathrop and Lenox Townships, **Susquehanna County** with an expiration date of July 19, 2014. Permit issued: July 24, 2013.

**58134138. Doug Wathen, LLC**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Biniewicz Gas Pad with an expiration date of July 20, 2014. Permit issued: July 24, 2013.

**58134139. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Spencer Well Pad in Lenox Township, **Susquehanna County** with an expiration date of July 22, 2014. Permit issued: July 24, 2013.

**35134108. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Keystone College track and field in LaPlume Township and Factoryville Borough, **Lackawanna County** with an expiration date of July 31, 2014. Permit issued: July 24, 2013.

**36134137. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Home

Towne Square in Clay Township, **Lancaster County** with an expiration date of July 31, 2014. Permit issued: July 24, 2013.

**38134120. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Strathford Meadows in South Lebanon Township, **Lebanon County** with an expiration date of April 30, 2014. Permit issued: July 24, 2013.

**58134139. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Spencer Well Pad in Lenox Township, **Susquehanna County** with an expiration date of July 22, 2014. Permit issued: July 24, 2013.

**66134118. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Tinna Pad and Access Road in Mehoopany Township, **Wyoming County** with an expiration date of November 30, 2013. Permit issued: July 24, 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. PA0214892 (Mining Permit No. 26961602), Bullsken Tipple Company**, (2927 Pittsburgh Street, Perryopolis, PA 15473). A renewal to the NPDES and mining activity permit for the Bullsken Tipple in Connellsville Township, **Fayette County**. Surface Acres Affected 7.1. Receiving stream: Mounts Creek, classified for the following use: WWF. The application was considered administratively complete on October 2, 2012. Application received January 9, 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 001* discharges to: Mounts Creek The proposed effluent limits for *Outfall 001* (Lat: 40°02' 03" Long: 79° 35' 19") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.287	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		87	173	216
Sulfates (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0258318 (Permit No. 24070301). Marquise Mining Corporation** (P. O. Box 338, Blairsville, PA 15717) Renewal of an NPDES permit for a large industrial minerals surface mine in Fox Township, **Elk County**, affecting 227.0 acres. Receiving streams: unnamed tributaries to Bear Run to Little Toby Creek, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: July 17, 2013.

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

The outfall(s) listed below discharge to unnamed tributaries No. 1 and 3 to Bear Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1&2	N
TP3&4	N
TP5&6	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.88
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

The outfall(s) listed below discharge to unnamed tributary No. 1 to Bear Creek:

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

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

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

The outfall(s) listed below discharge to unnamed tributary No. 4 to Bear Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP4	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				5.5
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

## 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 appropri-

ate 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**

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401*

**E15-843. CCCD**, 688 Unionville Road, Suite 200. Kennett Square, PA 19348, East Bradford Township, **Chester County**, ACOE Philadelphia District.

To restore and maintain approximately 2,150 linear feet of impaired reach of Plum Creek (TSF), and an unnamed tributary to Plum Creek (TSF), through a combination of the following measures: legacy sediment removal, streambank stabilization, stream alignment, floodplain restoration, and installation of fish habitat.

The site is located northeast of the intersection of PA SR 52 and PA US 322, West Chester PA, USGS map N: 10.5 inches; W: 16:00 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E46-1054. West Norriton Township**, 1630 W, Marshall Street, Jeffersonville, PA 19403, West Norriton Township, **Montgomery County**, ACOE Philadelphia District.

To demolish the existing wastewater pump station and to construct and maintain, in its place, a new pump station in and along the 100-year floodplain of the Schuylkill River. The site is located near the intersection of South Whitehall Road and Rittenhouse Boulevard (Valley Forge, PA, USGS Quadrangle N: 21.5 inches; W: 16.5 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E23-205. Sunoco Partners Marketing & Terminals, L.P.**, 100 Green Street, Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**, ACOE Philadelphia District.

To reconstruct and maintain a mooring dolphin located along the right bank of the Delaware River (WWF, MF) located at a point approximately 1,500 feet southwest of the intersection of Delaware Avenue and Green Street (Marcus Hook, PA Quadrangle N: 10.3 inches, W: 6.2 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

*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 in Logan Township and the City of Altoona, **Blair County**, ACOE Baltimore District.

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°32'9", -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

(40°31'26", -78°21'50"), 34) 0.04 acre of PEM wetland (40°29'16", -78°26'12"), 35) 0.03 acre of PEM wetland which is classified as Exceptional Value (40°29'19", -78°26'13"), 36) 0.04 acre of PSS wetland which is classified as Exceptional Value (40°29'25", -78°26'44"), 37) 0.07 acre of PSS wetland (40°29'21", -78°26'36"), 38) 0.02 acre for of PEM wetland which is classified as Exceptional Value (40°29'20", -78°26'31"), 39) 0.02 acre of PEM wetland and 0.02 acre of PFO wetland (40°29'29", -78°26'56"), 40) 0.02 acre of PEM wetland which is classified as Exceptional Value (40°29'25", -78°26'45"), 41) 0.17 acre of PEM wetland (40°33'31", -78°22'45"), 42) 0.05 acre of PFO wetland which is classified as Exceptional Value (40°33'30", -78°23'11"), 43) 0.02 acre of PFO wetland which is classified as Exceptional Value (40°33'30", -78°23'10"), 44) 0.01 acre of PEM wetland which is classified as Exceptional Value (40°33'35", -78°23'45"), 45) 0.16 acre of PFO wetland which is classified as Exceptional Value (40°33'40", -78°24'02"), 46) 0.16 acre of PSS wetland which is classified as Exceptional Value (40°33'47", -78°24'12"), 47) 0.04 acre of PEM wetland (40°28'57", -78°23'20"), 48) 0.01 acre of PEM wetland (40°32'29", -78°23'46"), 49) 0.01 acre of PEM wetland (40°32'30", -78°23'48"), and 50) 0.01 acre of PEM wetland (40°32'00", -78°26'45"). The project proposes to temporarily impact 0.67 acre of wetland of and permanently impact 0.23 acre of wetland.

**E31-225: Huntingdon Borough**, 530 Washington Street, Huntingdon, PA 16652 in Huntingdon Borough, **Huntingdon County**, ACOE Baltimore District.

to (1) remove the existing 75-foot long by 35-foot wide concrete pool, (2) place and maintain 35 feet of R-5 riprap bank protection, (2) construct and maintain a 21-inch diameter stormwater outfall with a 5-foot by 5-foot concrete endwall with flap gate, and (3) place and maintain a 12-foot long by 16-foot wide R6 rip-rap apron for scour protection for the outfall all in and along Standing Stone Creek (HQ-CWF, MF) for the purpose of replacing a sanitary sewer main and removing the concrete pool obstruction in the creek. The project is located North of Penn Street (Huntingdon, PA Quadrangle, Latitude: 40° 28' 56.8" N, Longitude: 78° 0' 10.7"W) in the Borough of Huntingdon, Huntingdon County.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E59-518. Tioga County Commissioners**, 118 Main Street, Wellsboro, PA 16901. Knox Road (T-402) bridge replacement over Cowanesque River in Deerfield Township, **Tioga County**, ACOE Baltimore District (Knoxville, PA Quadrangle Lat: 41° 56' 56"; Long: -77° 27' 33").

Tioga County Commissioners will construct and maintain a two span continuous composite prestressed concrete bulb-tee beam bridge with two normal spans of 87.26 feet, (two clear spans of 90.33 feet), an underclearance of approximately 11.0 feet at the centerline of the upstream bridge face and a skew of 75°, carrying Knox Road (T-402) over Cowanesque River in Deerfield Township, Tioga County.

The proposed bridge will not increase surface runoff or upstream backwater elevations. This project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. The total estimated permanent stream disturbance for the project is approximately 48 feet and the total estimated

temporary stream disturbance of approximately 125 feet. There are no wetlands present. Cowanesque River is listed in 25 Pa. Code Chapter 93 for water quality standards as a WWF (Warm Water Fishery) and as a MF (Migratory Fish).

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

**E37-194, Sheetz, Inc.**, 5700 Sixth Avenue, Altoona, PA 16602 in Union Township, **Lawrence County**, ACOE Pittsburgh District

to permanently fill 0.193 acre of wetlands (0.014 acre PEM, and 0.179 acre PEM/PSS) in the Shenango River watershed (WWF) for the construction of a Sheetz Convenience Store located northwest of the intersection of State Route 224 and Dworman Lane (N: 41°, 0', 51"; W: 80°, 23', 48").

The project includes construction of 0.22 acre of PEM/PSS replacement wetlands within the same watershed and on property owned by Union Towne Center (N: 41°, 1', 9.39"; W: 80°, 23', 34.68"). Access to the replacement wetland site will include construction of a temporary stream crossing impacting 50 linear feet of a tributary to the Shenango River.

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

**E4129-073: Inflection Energy, LLC**, 1200 17th Street, Suite 1350, Denver, CO 80202-5835, Upper Fairfield Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 12-inch temporary waterline and timber cribbing impacting 50 linear feet of an unnamed tributary to Loyalsock Creek (EV) (Montoursville North, PA Quadrangle 41°17'42"N 76°54'32"W).

The project will result in 50 linear feet of temporary stream impacts all for the purpose of installing a temporary water line for Marcellus well development.

#### **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 # ESX13-115-0075  
Applicant Name Williams Field Services Company, LLC  
Contact Person Sandra Lojek  
Address Park Place Corporate Center 2, 2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna County  
Township(s) Bridgewater Township  
Receiving Stream(s) and Classification(s) Meshoppen Creek (CWF/MF) and UNT's thereto

ESCGP-1 # ESX13-015-0034  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Overton Township  
Receiving Stream(s) and Classification(s) UNT to Black Creek (EV/MF)

ESCGP-1 # ESX13-115-0075  
Applicant Name Williams Field Services Company, LLC  
Contact Person Sandra Lojek  
Address 2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna County  
Township(s) Bridgewater Township  
Receiving Stream(s) and Classification(s) Meshoppen Creek (CWF/MF) and UNT thereto

ESCGP-1 # ESX13-115-0064  
Applicant Name Williams Field Services Company, LLC  
Contact Person Julie Nicholas  
Address 1212 South Abington Road  
City, State, Zip Clarks Summit, PA 18411  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) UNT to Pond Brook (CWF/MF)

ESCGP-1 # ESX12-015-0180 (01)  
Applicant Name Angelina Gathering Company, LLC  
Contact Person Danny Spaulding  
Address 2350 N. Sam Houston Parkway, STE 125  
City, State, Zip Houston, TX 77032  
County Bradford County  
Township(s) Herrick Township  
Receiving Stream(s) and Classification(s) Cold Creek (WWF);  
Secondary: Wyalusing Creek

ESCGP-1 # ESX13-115-0069  
Applicant Name Chief Oil & Gas LLC  
Contact Person Jeffrey Deegan  
Address 6051 Wallace Road Ext., Suite 300  
City, State, Zip Wexford, PA 15090  
County Susquehanna County  
Township(s) Auburn Township  
Receiving Stream(s) and Classification(s) Riley Creek (CWF/MF)

ESCGP-1 # ESX13-115-0078  
Applicant Name Williams Field Services Co., LLC  
Contact Person Sandra Lojek  
Address 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275  
County Susquehanna County  
Township(s) Dimock Township  
Receiving Stream(s) and Classification(s) White Creek (CWF/MF) and UNTs thereto

ESCGP-1 # ESX13-015-0040  
Applicant Name Angelina Gathering Co., 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) Herrick Township  
Receiving Stream(s) and Classification(s) UNTs to Cold Creek (WWF/MF);  
Secondary: Cold Creek (WWF/MF)

ESCGP-1 # ESX13-115-0067  
Applicant Name Cabot Oil & Gas Corporation  
Contact Person Kenneth Marcum  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Susquehanna County  
Township(s) Middletown Township  
Receiving Stream(s) and Classification(s) North Branch Wyalusing Creek (CWF/MF)

ESCGP-1 # ESX13-015-0042  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Herrick and Wyalusing Townships  
Receiving Stream(s) and Classification(s) UNT to Billings Creek, Billings Creek, UNT to Wyalusing Creek, Camps Creek, Wyalusing Creek (All WWF);  
Secondary: Susquehanna River (WWF)

ESCGP-1 # ESG13-081-0032  
Applicant Name Anadarko E&P Onshore, LLC  
Contact Person Rane Wilson  
Address 33 West Third Street  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Pine Township  
Receiving Stream(s) and Classification(s) Bonnell Run (EV/MF);  
Secondary: Little Pine Creek (EV)

ESCGP-1 # ESX13-015-0039  
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) Standing Stone & Herrick Townships  
Receiving Stream(s) and Classification(s) Rummerfield Creek (WWF);  
Secondary: Susquehanna River

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESG13-083-0007—West Branch Impoundment 1 & 2  
Applicant Seneca Resources Corp  
Contact Michael Clinger  
Address 51 Zents Blvd  
City Brookville State PA Zip Code 15825  
County Mckean Township(s) Norwich(s)  
Receiving Stream(s) and Classification(s) UNT to South Fork West Branch Potato Creek (HQ-CWF/HQ-CWF);  
Elk Fork (EV/EV); UNT to Elk Fork (EV/EV)



ESCGP-1 #ESX13-085-0015—Raiti Well Pad  
 Applicant Halcon Operating Co. Inc.  
 Contact Gregg Stewart  
 Address 600 Cranberry Woods Drive, Suite 150  
 City Cranberry Township State PA Zip Code 16066  
 County Mercer Township(s) South Pymatuning(s)  
 Receiving Stream(s) and Classification(s) UNT's to  
 Pymatuning Creek WWF

ESCGP-1 #ESX13-019-0033—Kennedy Well Pad  
 Applicant R.E. Gas Development  
 Contact Michael Endler  
 Address 600 Cranberry Woods Drive  
 City Cranberry Township State PA Zip Code 16066  
 County Butler Township(s) Middlesex(s)  
 Receiving Stream(s) and Classification(s) 2 UNT's to  
 Glade Run—WWF, Glade Run—WWF, Slippery Rock  
 Creek Watershed

ESCGP-1 #ESX13-073-0004—Mahoning Ambrosia  
 Applicant Hilcorp Energy Co  
 Contact Stephanie McMurray  
 Address 1201 Louisiana St.  
 City Houston State TX Zip Code 77002  
 County Lawrence Township(s) Mahoning(s)  
 Receiving Stream(s) and Classification(s) UNT to Coffee  
 Run (WWF)

ESCGP-1 #ESX13-085-0014—McCullough 1H & 2H  
 Applicant Chevron Appalachia, LLC  
 Contact Alex Genovese  
 Address 800 Mountain View Drive  
 City Smithfield State PA Zip Code 15478  
 County Mercer Township(s) Jefferson(s)  
 Receiving Stream(s) and Classification(s) Margargee Run/  
 Shenango River—WWF, Shenango River

ESCGP-1 #ESG13-019-0034—Waltman Centralized  
 Freshwater Impoundment  
 Applicant XTO Energy  
 Contact Ms. 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) Unnamed tribu-  
 taries to Buffalo Creek, HQ-CWF

### 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.

*Southwest District: District Oil and Gas Operations, Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222*

Well Permit #: 129-28855-00  
 Well Farm Name: DesLauriers Unit 3H  
 Applicant Name: Penneco Oil Company, Inc.  
 Contact Person: D. Marc Jacobs Jr.  
 Address: 6608 US Rte 22 Delmont, PA 15626-2408  
 County: Westmoreland  
 Municipality Name/City, Borough, Township: Lower  
 Burrell

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: Tributary #42385 to Pucketa Creek

*Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335*

Well Permit #: 015-22687-00-00  
 Well Farm Name Hart BRA 1H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 14 Chesapeake Lane, Sayre, PA 18840  
 County: Bradford  
 Municipality Wyalusing 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: Laceyville, Unnamed tributary to Susquehanna River.

Well Permit #: 131-20326-00-00  
 Well Farm Name T. Brown Unit 1H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer A. Curry  
 Address: 6051 Wallace Road, Ext 300, Wexford, PA 15090  
 County: Wyoming  
 Municipality Lemon 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: Springville

Well Permit #: 131-20327-00-00  
 Well Farm Name T. Brown Unit 2H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer A. Curry  
 Address: 6051 Wallace Road, Ext 300, Wexford, PA 15090  
 County: Wyoming  
 Municipality Lemon 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: Springville

Well Permit #: 131-20328-00-00  
 Well Farm Name T. Brown Unit 3H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer A. Curry  
 Address: 6051 Wallace Road, Ext 300, Wexford, PA 15090  
 County: Wyoming  
 Municipality Lemon 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: Springville

Well Permit #: 131-20329-00-00  
Well Farm Name T. Brown Unit 5H  
Applicant Name: Chief Oil & Gas LLC.  
Contact Person: Jennifer A. Curry  
Address: 6051 Wallace Road, Ext. 300, Wexford, PA 15090  
County: Wyoming  
Municipality Lemon 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: Springville

Well Permit #: 131-20330-00-00  
Well Farm Name T. Brown Unit 6H  
Applicant Name: Chief Oil & Gas LLC.  
Contact Person: Jennifer A. Curry  
Address: 6051 Wallace Road, Ext. Suite 300, Wexford, PA 15090  
County: Wyoming  
Municipality Lemon 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: Springville

[Pa.B. Doc. No. 13-1485. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Agricultural Advisory Board Meeting Cancellation

The Agricultural Advisory Board meeting scheduled for August 21, 2013, has been canceled. The next meeting is scheduled to occur on October 16, 2013, at 10 a.m. in Susquehanna Room A of the Department of Environmental Protection Southcentral Regional Office.

Questions concerning the cancellation of the August 21, 2013, meeting or the October 16, 2013, meeting should be directed to Tom Juengst, Bureau of Conservation and Restoration, (717) 783-7577 or [tjuengst@pa.gov](mailto:tjuengst@pa.gov). A meeting agenda and meeting materials for the October 16, 2013, meeting will be available on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation," "Advisory Committees" and "Agricultural Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Acting Chairperson*

[Pa.B. Doc. No. 13-1486. Filed for public inspection August 9, 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 [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's

final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance—Substantive Revision*

*DEP ID: 275-2101-003. Title: Air Quality Permit Exemptions—Categories No. 33 and No. 38. Description:* Consistent with the provision of 25 Pa. Code § 127.14 (relating to exemptions), the Department may determine sources or classes of sources which may be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127 (relating to construction, modification, reactivation and operation of sources). In accordance with 25 Pa. Code § 127.14(d), the Department is finalizing an amendment to the Air Quality Permit Exemption List for Category No. 33, pertaining to compressed natural gas fueling and Category No. 38, pertaining to oil and gas exploration, development, production facilities and associated equipment and operation.

The Department published a notice at 41 Pa.B. 1065 (February 26, 2011) opening a public comment period for Technical Guidance Document No. 275-2101-003, entitled Air Quality Permit Exemptions. The comment period ended on May 26, 2011. Based on comments received during the public comment period for the February 26, 2011, proposal, the Department repropose revisions to the technical guidance document solely with respect to Category No. 33 and Category No. 38. Notice of the public comment period was published at 43 Pa.B. 742 (February 2, 2013). This comment period ended on March 19, 2013. The Department received comments from 651 commentators. The Department has prepared a Comment and Response Document which is available on the Department's web site. At this time, the Department is finalizing only the revisions to Categories No. 33 and No. 38 of the Technical Guidance Document 275-2101-003. Any other revisions to the technical guidance document will be finalized at a later date.

*Contact:* Virendra Trivedi, Environmental Engineer Manager, New Source Review Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468.

*Effective Date:* August 10, 2013

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1487. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Bid Opportunity

**OSM 11(2466)101.1, Abandoned Mine Reclamation Project, Bakerton No. 3, West Carroll Township, Cambria County.** The principal items of work and approximate quantities include mobilization and demobilization; demolition, removal and disposal of mine facilities; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; grading 4,413 cubic yards; 12" diameter schedule 80 PVC pipe and fittings 120 linear feet; AASHTO No. 57 coarse aggregate 100 tons; seeding 0.8 acre; and mulching 0.8 acre. This bid issues on August 9, 2013, and bids will be opened on September 5, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1488. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Bid Opportunity

**OSM 65(1431)101.1, Abandoned Mine Reclamation Project, Getty Run, Loyalhanna Township, Westmoreland County.** The principal items of work and approximate quantities include mobilization and demobilization; demolition, removal and disposal of mine facilities; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; coal recovery 700 tons; and stream crossing. This bid issues on August 9, 2013, and bids will be opened on September 5, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1489. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Bid Opportunity

**OSM 16(3150)101.1, Abandoned Mine Reclamation Project, Perryville Northeast, Perry Township, Clarion County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; grading 112,350 cubic yards;

ditch excavation 85 cubic yards; erosion control/turf reinforcement mat 690 square yards; subsurface drain 1,237 linear feet; and seeding 11.1 acres. This bid issues on August 9, 2013, and bids will be opened on September 5, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1490. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Coastal Zone Grant Application Period for Federal Fiscal Year 2014 Grants

The Interstate Waters Office in the Department of Environmental Protection (Department) will be accepting applications beginning August 19, 2013, for Federal Fiscal Year 2014 Coastal Zone grants. Applications must be received no later than October 21, 2013.

Applicants must meet certain eligibility requirements (for example, the applicant must be an authority, an incorporated nonprofit organization, a political subdivision or an educational institution) and must be located within the Delaware Estuary Coastal Zone or the Lake Erie Coastal Zone. Proposals must also support the Coastal Resources Management Program's mission to protect and enhance coastal resources in this Commonwealth.

The Department and the Department of Conservation and Natural Resources have launched an electronic grant application system called Environmental eGrants (eGrants), which standardizes the application process and provides an environmentally friendly way to submit a grant application through a secure internet connection.

Applications for Coastal Zone grants must be submitted electronically through the eGrants system. To access an online application go to [www.grants.dcnr.state.pa.us](http://www.grants.dcnr.state.pa.us), register as a user by clicking the "Log In/Register" link, click on "Find a Grant" to find this grant opportunity and then select the option to "Apply for This Grant." eGrants will guide applicants through the process of starting the electronic grant application.

To obtain more information concerning Coastal Zone grants, visit the Department web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) and select "DEP Programs A—Z" tab, then choose "Coastal Zone" and then click on "Grants" or contact the Department of Environmental Protection, Interstate Waters Office, 400 Market Street, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-4785.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1491. Filed for public inspection August 9, 2013, 9:00 a.m.]

**Nutrient Credit Trading Program; Notice of Certification Requests**

The Department of Environmental Protection (Department) provides notice of the following certification requests that have been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

With regard to the first applicant listed as follows, namely the Borough of Chambersburg, the Department on July 7, 2012, approved a request by the Borough of

Chambersburg for inter-basin trading. The approval was for a pilot program to use nitrogen and phosphorus credits generated in the Susquehanna River Basin to meet NPDES nitrogen and phosphorous limits at the Borough of Chambersburg’s waste water treatment facility located in the Potomac River Basin. The Borough of Chambersburg has submitted the certification requests listed as follows under the pilot program.

The information described in this notice relates to submitted certification requests received in summer of 2013.

*Certification Requests*

The following requests are being reviewed by the Department:

*Applicant*

The Borough of Chambersburg on behalf of agricultural operations identified as follows in Cumberland County and Franklin County

Logan Township Greenwood Wastewater Treatment Plant. (Blair County) (NPDES Permit No. PA-0032557)

*Pollutant Reduction Activity Description*

This certification is for the agricultural best management practices of cover crops and continuous no-till.

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of the installed wastewater treatment process

The Borough of Chambersburg was submitted on behalf of the following agricultural operations:

<i>Farm</i>	<i>County</i>	<i>Watershed</i>
Carl Pugh and Son, LLC	Franklin	Potomac
Falling Springs Farms, LLC	Franklin	Potomac
Frey’s Farm Dairy, LLC	Franklin	Potomac
Hissong Farmstead, Inc	Franklin	Potomac
Jo-Bri-Den Farm	Franklin	Susquehanna
Martin Farm	Franklin	Potomac
Marshall Farm	Franklin	Potomac
MercerVu Farms, Inc.	Franklin	Potomac
Rotz Farm	Franklin	Potomac & Susquehanna
State Ridge Dairy Farm, Inc.	Franklin	Potomac
Witter Farm	Franklin	Susquehanna
Brandt Farm	Cumberland	Susquehanna
Brymesser Farms LLC	Cumberland	Susquehanna
Creekside Dairy	Cumberland	Susquehanna
Hockenberry Farm	Cumberland	Susquehanna
Jet Rae Farm	Cumberland	Susquehanna
Foster Farm	Cumberland	Susquehanna
Mt. Rock Jerseys	Cumberland	Susquehanna
Mt. View Nursery	Cumberland	Susquehanna
Nealand Farm	Cumberland	Susquehanna
Sunday Farm	Cumberland	Susquehanna
Weary’s Dairy	Cumberland	Susquehanna
Webber Farm	Cumberland	Susquehanna

*Written Comments*

Interested persons may submit written comments on this proposed pollutant reduction activity by September 9, 2013. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Jay Braund, Bureau of Point and Non-Point Source Management, Department of Environmental Protection, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-5636, jbraund@pa.gov.

For further information about this certification request or the Nutrient Credit Trading Program contact Jay Braund, at the previously listed address or phone number or visit the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: "Nutrient Trading").

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1492. Filed for public inspection August 9, 2013, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Aces and 8s 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 Aces and 8s.

2. *Price:* The price of a Pennsylvania Aces and 8s instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Aces and 8s instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 29 (TWYNIN), 30 (THIRTY), 8 (EIGHT) symbol and an Ace (ACE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Aces and 8s instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "Prize" area

under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Ace (ACE) symbol and a prize symbol of \$250 (TWOHUNFTY) appears in two of the "Prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Ace (ACE) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$250 (TWOHUNFITY) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$250.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Ace (ACE) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in two of the “Prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$250.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Ace (ACE) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in two of the “Prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$25.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an 8 (EIGHT) symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

\$5 w/ EIGHT  
 \$5  
 \$10 w/ EIGHT  
 \$10  
 \$5 × 4  
 \$20 w/ EIGHT  
 \$20  
 (\$10 × 2) + \$5  
 (\$5 w/ EIGHT) × 5

*Win:*

\$5  
 \$5  
 \$10  
 \$10  
 \$20  
 \$20  
 \$20  
 \$25  
 \$25

*Approximate Odds Are 1 In:*

15  
 20  
 20  
 60  
 200  
 150  
 200  
 300  
 300

*Approximate No. Of Winners Per 14,400,000 Tickets:*

960,000  
 720,000  
 720,000  
 240,000  
 72,000  
 96,000  
 72,000  
 48,000  
 48,000

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 14,400,000 Tickets:
\$25 w/ EIGHT	\$25	300	48,000
\$25	\$25	300	48,000
\$5 × 8	\$40	600	24,000
(\$10 w/ EIGHT) × 4	\$40	600	24,000
\$40 w/ EIGHT	\$40	300	48,000
\$40	\$40	600	24,000
\$10 × 5	\$50	600	24,000
(\$25 w/ EIGHT) × 2	\$50	600	24,000
\$50 w/ EIGHT	\$50	600	24,000
\$50	\$50	600	24,000
ACE w/ ((\$25 × 2) + (\$5 × 10))	\$100	480	30,000
\$25 × 4	\$100	3,000	4,800
\$50 × 2	\$100	3,000	4,800
(\$10 w/ EIGHT) × 10	\$100	3,429	4,200
\$100 w/ EIGHT	\$100	1,200	12,000
\$100	\$100	3,429	4,200
ACE w/ ((\$25 × 2) + (\$20 × 10))	\$250	1,200	12,000
\$50 × 5	\$250	10,000	1,440
\$250 w/ EIGHT	\$250	10,909	1,320
\$250	\$250	10,909	1,320
ACE w/ ((\$50 × 2) + (\$40 × 10))	\$500	24,000	600
\$50 × 10	\$500	60,000	240
\$250 × 2	\$500	60,000	240
(\$100 w/ EIGHT) × 5	\$500	60,000	240
\$500 w/ EIGHT	\$500	40,000	360
\$500	\$500	60,000	240
ACE w/ ((\$250 × 2) + (\$50 × 10))	\$1,000	40,000	360
\$500 × 2	\$1,000	60,000	240
\$1,000 w/ EIGHT	\$1,000	60,000	240
\$1,000	\$1,000	120,000	120
\$10,000 w/ EIGHT	\$10,000	720,000	20
\$10,000	\$10,000	720,000	20
\$100,000	\$100,000	960,000	15

Reveal an "8" (EIGHT) symbol, win prize shown under it automatically.  
Reveal an "ACE" (ACE) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Aces and 8s 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 Aces and 8s, prize money from winning Pennsylvania Aces and 8s 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 Aces and 8s 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 Aces and 8s or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-1493. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Pennsylvania Bingo Star 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 Bingo Star.

2. *Price:* The price of a Pennsylvania Bingo Star instant lottery game ticket is \$5.

3. *Play Symbols:*

(a) Each Pennsylvania Bingo Star instant lottery game ticket will contain eight play areas designated as "CARD 1," "CARD 2," "CARD 3," "CARD 4," "CARD 5," "CARD 6,"

“CARD 7” and “CARD 8.” A player may win more than one time on a ticket; however a player may only win one prize on each “CARD.” Each “CARD” will consist of 25 spaces on a 5 by 5 grid. The 77 play symbols located in the eight play areas are: The numbers 1 through 75, “FREE” symbol and a Star symbol. The “FREE” symbol is a free space. The Star symbol is a free space and when it appears in a winning pattern, the prize quintuples.

(b) Each ticket will also contain a “CALLER’S CARD” area. The “CALLER’S CARD” area will consist of 30 spaces on a 10 by 3 grid. The play symbols that may be located in each space on the grid are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; the letter O with a number 61 through 75; and a Cash (CASH) symbol.

4. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000, \$2,500, \$5,000, \$10,000 and \$100,000. The player can win up to five times on each ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Bingo Star instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 8,” shall be entitled to a prize of \$100,000.

(b) Holders of tickets matching the “CALLER’S CARD” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 8,” shall be entitled to a prize of \$10,000.

(c) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 7,” shall be entitled to a prize of \$10,000.

(d) Holders of tickets matching the “CALLER’S CARD” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 7,” shall be entitled to a prize of \$5,000.

(e) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 6,” shall be entitled to a prize of \$5,000.

(f) Holders of tickets matching the “CALLER’S CARD” play symbols in a five-space horizontal, vertical or diagonal line, with a Star symbol appearing in that same horizontal, vertical or diagonal line, on “CARD 8,” shall be entitled to a prize of \$2,500.

(g) Holders of tickets matching the “CALLER’S CARD” play symbols in the four corners on “CARD 8,” shall be entitled to a prize of \$1,000.

(h) Holders of tickets matching the “CALLER’S CARD” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 6,” shall be entitled to a prize of \$500.

(i) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 5,” shall be entitled to a prize of \$500.

(j) Holders of tickets matching the “CALLER’S CARD” play symbols in the four corners on “CARD 7,” shall be entitled to a prize of \$500.

(k) Holders of tickets matching the “CALLER’S CARD” play symbols in a five-space horizontal, vertical or diagonal line on “CARD 8,” shall be entitled to a prize of \$500.

(l) Holders of tickets matching the “CALLER’S CARD” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 5,” shall be entitled to a prize of \$250.

(m) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 4,” shall be entitled to a prize of \$250.

(n) Holders of tickets matching the “CALLER’S CARD” play symbols in the four corners on “CARD 6,” shall be entitled to a prize of \$250.

(o) Holders of tickets matching the “CALLER’S CARD” play symbols in a five-space horizontal, vertical or diagonal line, with a Star symbol appearing in that same horizontal, vertical or diagonal line, on “CARD 7,” shall be entitled to a prize of \$250.

(p) Holders of tickets matching the “CALLER’S CARD” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 4,” shall be entitled to a prize of \$100.

(q) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 3,” shall be entitled to a prize of \$100.

(r) Holders of tickets matching the “CALLER’S CARD” play symbols in the four corners on “CARD 5,” shall be entitled to a prize of \$100.

(s) Holders of tickets matching the “CALLER’S CARD” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 3,” shall be entitled to a prize of \$50.

(t) Holders of tickets matching the “CALLER’S CARD” play symbols to four spaces appearing in a “Diamond” pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “Card 2,” shall be entitled to a prize of \$50.



(u) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "CARD 4," shall be entitled to a prize of \$50.

(v) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 7," shall be entitled to a prize of \$50.

(w) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line, with a Star symbol appearing in that same horizontal, vertical or diagonal line, on "CARD 5" or "CARD 6," shall be entitled to a prize of \$50.

(x) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 2," shall be entitled to a prize of \$25.

(y) Holders of tickets matching the "CALLER'S CARD" play symbols to four spaces appearing in a "Diamond" pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "Card 1," shall be entitled to a prize of \$25.

(z) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "CARD 3," shall be entitled to a prize of \$25.

(aa) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line, with a Star symbol appearing in that same

horizontal, vertical or diagonal line, on "CARD 1," "CARD 2," "CARD 3" or "CARD 4," shall be entitled to a prize of \$25.

(bb) Holders of tickets with a Cash (CASH) symbol in the "CALLER'S CARD" area shall be entitled to a prize of \$20.

(cc) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 1," shall be entitled to a prize of \$15.

(dd) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "CARD 2," shall be entitled to a prize of \$15.

(ee) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "CARD 1," shall be entitled to a prize of \$10.

(ff) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 5" or "CARD 6," shall be entitled to a prize of \$10.

(gg) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 1," "CARD 2," "CARD 3" or "CARD 4," shall be entitled to a prize of \$5.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets</i>
LINE CARD 1	\$5	30	400,000
LINE CARD 2	\$5	30	400,000
LINE CARD 3	\$5	30	400,000
LINE CARD 4	\$5	60	200,000
LINE CARD 5	\$10	75	160,000
LINE CARD 6	\$10	75	160,000
(LINE CARD 2) + (LINE CARD 1)	\$10	75	160,000
(LINE CARD 4) + (LINE CARD 3)	\$10	75	160,000
4 CORNERS CARD 1	\$10	75	160,000
(LINE CARD 3) + (LINE CARD 2) + (LINE CARD 1)	\$15	300	40,000
(LINE CARD 5) + (LINE CARD 3)	\$15	300	40,000
(4 CORNERS CARD 1) + (LINE CARD 4)	\$15	300	40,000
4 CORNERS CARD 2	\$15	300	40,000
"X" CARD 1	\$15	300	40,000
(LINE CARD 1) + (\$20 w/ CASH)	\$25	200	60,000
LINE CARD 2 w/ STAR	\$25	600	20,000
LINE CARD 4 w/ STAR	\$25	600	20,000
4 CORNERS CARD 3	\$25	600	20,000
DIAMOND CARD 1	\$25	600	20,000
"X" CARD 2	\$25	600	20,000
LINE CARD 5 w/ STAR	\$50	600	20,000
(DIAMOND CARD 1) + (LINE CARD 3) + (\$20 w/ CASH)	\$50	600	20,000
LINE CARD 7	\$50	600	20,000
4 CORNERS CARD 4	\$50	600	20,000
DIAMOND CARD 2	\$50	600	20,000
"X" CARD 3	\$50	600	20,000
(LINE CARD 4 w/ STAR) + (LINE CARD 3 w/ STAR) + (LINE CARD 2 w/ STAR) + (LINE CARD 1 w/ STAR)	\$100	1,600	7,500
(4 CORNERS CARD 4) + (4 CORNERS CARD 3) + (4 CORNERS CARD 2) + (4 CORNERS CARD 1)	\$100	2,400	5,000
(DIAMOND CARD 2) + ("X" CARD 3)	\$100	2,400	5,000

Win With:	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 12,000,000 Tickets
(LINE CARD 6 w/ STAR) + (DIAMOND CARD 1) + (LINE CARD 3) + (\$20 w/ CASH)	\$100	1,600	7,500
4 CORNERS CARD 5	\$100	2,400	5,000
DIAMOND CARD 3	\$100	2,400	5,000
"X" CARD 4	\$100	2,400	5,000
("X" CARD 4) + ("X" CARD 3) + (4 CORNERS CARD 5)	\$250	8,000	1,500
(DIAMOND CARD 3) + (DIAMOND CARD 2) + ("X" CARD 4)	\$250	4,800	2,500
("X" CARD 4) + (DIAMOND CARD 3) + (DIAMOND CARD 1) + (LINE CARD 2) + (\$20 w/ CASH)	\$250	2,400	5,000
LINE CARD 7 w/ STAR	\$250	2,400	5,000
4 CORNERS CARD 6	\$250	6,000	2,000
DIAMOND CARD 4	\$250	6,000	2,000
"X" CARD 5	\$250	6,000	2,000
("X" CARD 5) + (4 CORNERS CARD 6)	\$500	12,000	1,000
(4 CORNERS CARD 6) + (LINE CARD 7 w/ STAR)	\$500	12,000	1,000
("X" CARD 5) + (LINE CARD 7 w/ STAR)	\$500	12,000	1,000
(DIAMOND CARD 4) + ("X" CARD 5)	\$500	24,000	500
LINE CARD 8	\$500	12,000	1,000
4 CORNERS CARD 7	\$500	12,000	1,000
DIAMOND CARD 5	\$500	12,000	1,000
"X" CARD 6	\$500	12,000	1,000
("X" CARD 6) + (4 CORNERS CARD 7)	\$1,000	120,000	100
4 CORNERS CARD 8	\$1,000	120,000	100
LINE CARD 8 w/ STAR	\$2,500	300,000	40
(4 CORNERS CARD 8) + (4 CORNERS CARD 7) + ("X" CARD 6) + (DIAMOND CARD 5)	\$2,500	300,000	40
DIAMOND CARD 6	\$5,000	600,000	20
"X" CARD 7	\$5,000	600,000	20
DIAMOND CARD 7	\$10,000	1,200,000	10
"X" CARD 8	\$10,000	1,200,000	10
DIAMOND CARD 8	\$100,000	1,200,000	10

STAR symbol: The "STAR" symbol found on each card is also a "FREE" space. When it appears in any winning pattern, win five times the prize shown for that win.

Reveal a "CASH" (CASH) symbol in the CALLER'S CARD, win \$20 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Bingo Star instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Bingo Star, prize money from winning Pennsylvania Bingo Star 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 Bingo Star 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.

10. *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.

11. *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 Bingo Star or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-1494. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Pennsylvania Bullseye Bucks 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 Bullseye Bucks.

2. *Price:* The price of a Pennsylvania Bullseye Bucks instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Bullseye Bucks instant lottery game ticket will contain one play area featuring "GAME 1," "GAME 2," "GAME 3," "GAME 4" and "GAME 5" and one "BONUS" area. Each ticket will

also contain a "BULLSEYE NUMBERS" area. The "BULLSEYE NUMBERS" area will consist of 16 play symbols. The play symbols located in the "GAMES" and in the "BULLSEYE NUMBERS" area are: 1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40. One play symbol will be located in "Game 1," two play symbols will be located in "GAME 2," three play symbols will be located in "GAME 3," four play symbols will be located in "GAME 4" and five play symbols will be located in "GAME 5." The play symbols located in the "BONUS" area are: Bell (BELL) symbol, Key (KEY) symbol, Coins (COINS) symbol, Rabbit Foot (RBTFT) symbol, Diamond (DMND) symbol, Dice (DICE) symbol, Gold Bar (BAR) symbol, Horseshoe (SHOE) symbol and a Bullseye (BULLSEYE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in "GAME 1" are: \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$6<sup>.00</sup> (SIX DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY), \$90<sup>.00</sup> (NINETY), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO). The prize symbols and their captions located in "GAME 2" are: \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$50<sup>.00</sup> (FIFTY), \$90<sup>.00</sup> (NINETY), \$150 (ONEHUNFTY) and \$10,000 (TEN THO). The prize symbols and their captions located in "GAME 3" are: \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY), \$90<sup>.00</sup> (NINETY), \$300 (THR HUN) and \$10,000 (TEN THO). The prize symbols and their captions located in "GAME 4" are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY) and \$50<sup>.00</sup> (FIFTY). The prize symbols and their captions located in "GAME 5" are: \$5<sup>.00</sup> (FIV DOL), \$6<sup>.00</sup> (SIX DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY) and \$50<sup>.00</sup> (FIFTY). The prize symbols located in the "BONUS" area are: \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY) and \$150 (ONEHUNFTY).

5. *Prizes:* "GAME 1" prizes shown are not multiplied, "GAME 2" prizes shown are doubled, "GAME 3" prizes shown are tripled, "GAME 4" prizes shown are quadrupled and "GAME 5" prizes shown are quintupled. The prizes that can be won in "GAME 1" are: \$3, \$5, \$6, \$10, \$20, \$30, \$50, \$90, \$150, \$300, \$1,000 and \$10,000. The prizes that can be won in "GAME 2" are: \$3, \$5, \$10, \$20, \$50, \$90, \$150 and \$10,000. The prizes that can be won in "GAME 3" are: \$3, \$5, \$10, \$30, \$50, \$90, \$300 and \$10,000. The prizes that can be won in "GAME 4" are: \$5, \$10, \$20, \$30 and \$50. The prizes that can be won in "GAME 5" are: \$5, \$6, \$10, \$20, \$30 and \$50. The prizes that can be won in the "BONUS" area are: \$3, \$5, \$10, \$20, \$30, \$50 and \$150. The player can win up to 6 times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,200,000 tickets will be printed for the Pennsylvania Bullseye Bucks instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same

exact two play symbols in "GAME 2," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$900.

(f) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$150 (ONEHUNFTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$90<sup>.00</sup> (NINETY) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$270.

(i) Holders of tickets upon which any five of the "BULLSEYE NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets upon which any four of the "BULLSEYE NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$90<sup>.00</sup> (NINETY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$180.

(l) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$150 (ONEHUNFTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$150.

(m) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same

exact three play symbols in "GAME 3," and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$150.

(n) Holders of tickets upon which any five of the "BULLSEYE NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$150.

(o) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a prize symbol of \$150 (ONEHUNFTHY) appears in the "prize" area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$150.

(p) Holders of tickets upon which any four of the "BULLSEYE NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$120.

(q) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any five of the "BULLSEYE NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$90<sup>00</sup> (NINTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$90.

(t) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$90.

(u) Holders of tickets upon which any four of the "BULLSEYE NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$80.

(v) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any five of the "BULLSEYE NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a

prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any four of the "BULLSEYE NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which any five of the "BULLSEYE NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$6<sup>00</sup> (SIX DOL) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "prize" area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$30.

(ee) Holders of tickets upon which any five of the "BULLSEYE NUMBERS" play symbols matches the same exact five play symbols in "GAME 5," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area to the right of "GAME 5," on a single ticket, shall be entitled to a prize of \$25.

(ff) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which any four of the "BULLSEYE NUMBERS" play symbols matches the same exact four play symbols in "GAME 4," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area to the right of "GAME 4," on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize"

area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(jj) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$15.

(kk) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$10.

(ll) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$10.

(mm) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the "prize" area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(nn) Holders of tickets upon which any three of the "BULLSEYE NUMBERS" play symbols matches the same exact three play symbols in "GAME 3," and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "Prize" area to the right of "GAME 3," on a single ticket, shall be entitled to a prize of \$9.

(oo) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of

\$6<sup>.00</sup> (SIX DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$6.

(pp) Holders of tickets upon which any two of the "BULLSEYE NUMBERS" play symbols matches the same exact two play symbols in "GAME 2," and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "Prize" area to the right of "GAME 2," on a single ticket, shall be entitled to a prize of \$6.

(qq) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$5.

(rr) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "prize" area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$5.

(ss) Holders of tickets upon which any one of the "BULLSEYE NUMBERS" play symbols matches the same exact one play symbol in "GAME 1," and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "Prize" area to the right of "GAME 1," on a single ticket, shall be entitled to a prize of \$3.

(tt) Holders of tickets upon which a Bullseye (BULLSEYE) symbol appears in the "BONUS" area and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "prize" area to the right of that Bullseye (BULLSEYE) symbol, on a single ticket, shall be entitled to a prize of \$3.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*Scratch The BULLSEYE NUMBERS. Then Scratch The Corresponding Numbers When They Appear In GAMES 1—5. When You Completely Match All Of The Numbers In Any GAME, Apply That GAME's Multiplier To The PRIZE Shown For That GAME And Win That Amount. Each GAME Is Played Separately. GAME 1 PRIZE Is Not Multiplied. Win With:*

<i>BONUS</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Game 4</i>	<i>Game 5</i>	<i>Win:</i>	<i>Approximate Odds of 1 in:</i>	<i>Approximate No. Of Winners Per 10,200,000 Tickets</i>
	\$3					\$3	9.09	1,122,000
	\$5					\$5	23.81	428,400
\$3	\$3					\$6	50	204,000
		\$3				\$6	100	102,000
			\$3			\$9	125	81,600
	\$3	\$3				\$9	125	81,600
	\$6					\$9	250	40,800
		\$5				\$10	125	81,600
	\$10					\$10	166.67	61,200
\$5	\$5	\$5				\$20	500	20,400
	\$5		\$5			\$20	500	20,400
				\$5		\$20	500	20,400
		\$10				\$20	500	20,400
	\$20					\$20	1,000	10,200
	\$5	\$5	\$5			\$30	1,000	10,200
\$5	\$5			\$5		\$30	1,000	10,200
			\$10			\$30	1,000	10,200
					\$6	\$30	1,000	10,200
	\$30					\$30	1,000	10,200
		\$10	\$10			\$50	1,600	6,375
\$5		\$5	\$5	\$5		\$50	1,600	6,375

Scratch The BULLSEYE NUMBERS. Then Scratch The Corresponding Numbers When They Appear In GAMES 1—5. When You Completely Match All Of The Numbers In Any GAME, Apply That GAME's Multiplier To The PRIZE Shown For That GAME And Win That Amount. Each GAME Is Played Separately. GAME 1 PRIZE Is Not Multiplied. Win With:

BONUS	Game 1	Game 2	Game 3	Game 4	Game 5	Win:	Approximate Odds of 1 in:	Approximate No. Of Winners Per 10,200,000 Tickets
	\$10	\$20				\$50	2,000	5,100
					\$10	\$50	2,000	5,100
	\$50					\$50	2,000	5,100
				\$10	\$10	\$90	4,000	2,550
	\$10			\$20		\$90	6,000	1,700
\$30			\$10		\$6	\$90	4,000	2,550
	\$5	\$5	\$10	\$5	\$5	\$90	2,400	4,250
\$10				\$20		\$90	4,000	2,550
			\$30			\$90	6,000	1,700
	\$90					\$90	4,000	2,550
\$10	\$20	\$20	\$10		\$10	\$150	8,000	1,275
		\$50			\$10	\$150	24,000	425
			\$10	\$30		\$150	8,000	1,275
\$20	\$30				\$20	\$150	12,000	850
					\$30	\$150	12,000	850
			\$50			\$150	12,000	850
\$20	\$150					\$150	24,000	425
	\$30				\$50	\$300	20,000	510
		\$90		\$30		\$300	30,000	340
			\$50		\$30	\$300	40,000	255
			\$90		\$6	\$300	17,143	595
		\$150				\$300	24,000	425
	\$300					\$300	24,000	425
\$150	\$150	\$50	\$50	\$50	\$50	\$1,000	30,000	340
\$50	\$50		\$300			\$1,000	30,000	340
	\$1,000					\$1,000	30,000	340
	\$10,000					\$10,000	2,040,000	5
		\$10,000				\$20,000	2,040,000	5
			\$10,000			\$30,000	1,020,000	10

Game 1: Win prize shown.

Game 2: (X2) = Win double the prize shown.

Game 3: (X3) = Win triple the prize shown.

Game 4: (X4) = Win four times the prize shown.

Game 5: (X5) = Win five times the prize shown.

BONUS: Reveal a "BULLSEYE" (BULLSEYE) symbol, win prize shown to the right of it.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Bullseye Bucks 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 Bullseye Bucks, prize money from winning Pennsylvania Bullseye Bucks 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 Bullseye Bucks 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 Bullseye Bucks or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1495. Filed for public inspection August 9, 2013, 9:00 a.m.]

**Pennsylvania \$1 Million Spectacular 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 \$1 Million Spectacular.

2. *Price:* The price of a Pennsylvania \$1 Million Spectacular instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$1 Million Spectacular instant game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), ALL (WINALL) symbol, Money Bag (MNYBAG) symbol and a \$50 Burst (WIN50) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$25, \$30, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania \$1 Million Spectacular instant game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000

(TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an ALL (WINALL) symbol and a prize symbol of \$500 (FIV HUN) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$1,000 (ONE THO) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an ALL (WINALL) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$500 (FIV HUN) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an ALL (WINALL) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$250 (TWOHUNFTY) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$250.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an ALL (WINALL) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in fifteen of the "prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$100 (ONE HUN) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.00 (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$50.00 (FIFTY) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$50 Burst (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.00 (FORTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$40.00 (FORTY) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30.00 (THIRTY) appears under the matching “YOUR

NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$30.00 (THIRTY) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$30.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25.00 (TWY FIV) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$25.00 (TWY FIV) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$25.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Bag (MNYBAG) symbol and a prize symbol of \$20.00 (TWENTY) appears under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$20 w/ MONEY BAG	\$20	15	400,000
\$20	\$20	10	600,000
\$25 w/ MONEY BAG	\$25	50	120,000
\$25	\$25	50	120,000
\$30 w/ MONEY BAG	\$30	50	120,000
\$30	\$30	75	80,000
\$20 x 2	\$40	300	20,000
(\$20 w/ MONEY BAG) x 2	\$40	150	40,000
\$40 w/ MONEY BAG	\$40	300	20,000
\$40	\$40	300	20,000
\$25 x 2	\$50	300	20,000
\$50 w/ \$50 BURST	\$50	150	40,000
\$50 w/ MONEY BAG	\$50	300	20,000
\$50	\$50	300	20,000
\$20 x 5	\$100	300	20,000
(\$50 w/ \$50 BURST) x 2	\$100	75	80,000
(\$50 w/ MONEY BAG) x 2	\$100	150	40,000
\$100	\$100	300	20,000
ALL w/ ((\$20 x 5) + (\$10 x 15))	\$250	705.88	8,500



When Any Of Your Numbers  
Match Any Winning Number,  
Win Prize Shown Under The  
Matching Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets	
\$25 x 10	\$250	1,200	5,000
\$50 x 5	\$250	1,500	4,000
(\$50 w/ \$50 BURST) x 5	\$250	705.88	8,500
(\$25 w/ MONEY BAG) x 10	\$250	1,200	5,000
\$250 w/ MONEY BAG	\$250	1,200	5,000
\$250	\$250	1,500	4,000
ALL w/ (\$25 x 20)	\$500	2,400	2,500
\$50 x 10	\$500	3,000	2,000
\$100 x 5	\$500	3,000	2,000
(\$50 x 5) + (\$25 x 10)	\$500	3,000	2,000
(\$100 x 2) + \$250 + \$50	\$500	2,000	3,000
(\$50 w/ \$50 BURST) x 10	\$500	3,000	2,000
(((\$50 w/ MONEY BAG) x 6) + (\$40 w/ MONEY BAG) x 5)	\$500	3,000	2,000
\$500 w/ MONEY BAG	\$500	2,400	2,500
\$500	\$500	3,000	2,000
ALL w/ (\$50 x 20)	\$1,000	6,667	900
\$250 x 4	\$1,000	10,000	600
\$500 x 2	\$1,000	12,000	500
(\$100 x 5) + (\$50 x 10)	\$1,000	12,000	500
(\$100 x 2) + \$500 + \$250 + \$50	\$1,000	7,500	800
(\$50 w/ \$50 BURST) x 20	\$1,000	10,000	600
(\$100 w/ MONEY BAG) x 10	\$1,000	6,667	900
\$1,000 w/ MONEY BAG	\$1,000	7,500	800
\$1,000	\$1,000	12,000	500
ALL w/ (\$500 x 20)	\$10,000	240,000	25
\$10,000	\$10,000	240,000	25
\$100,000	\$100,000	600,000	10
\$1,000,000	\$1,000,000	1,200,000	5

Reveal a "MONEY BAG" (MNYBAG) symbol, win prize shown under it automatically.  
Reveal a "\$50 BURST" (WIN50) symbol, win \$50 instantly.  
Reveal an "ALL" (WINALL) symbol, win all 20 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 \$1 Million Spectacular instant 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 \$1 Million Spectacular instant game, prize money from Pennsylvania \$1 Million Spectacular instant 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 \$1 Million Spectacular instant 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 \$1 Million Spectacular instant game or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-1496. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Pennsylvania Sweet 7s 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 Sweet 7s.

2. *Price:* The price of a Pennsylvania Sweet 7s instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Sweet 7s instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" is played separately. The play symbols and their captions, located in the play area are: an Apple (APPLE)

symbol, Gold Bar (BAR) symbol, Bell (BELL) symbol, Strawberries (BERRY) symbol, Bow Tie (BOW) symbol, Cupcake (CUPC) symbol, Cake (CAKE) symbol, Candy (CANDY) symbol, Cotton Candy (CTNCDY) symbol, Popsicle (POPCL) symbol, Cookie (COOKIE) symbol, Grapes (GRPES) symbol, Orange (ORANGE) symbol, Banana (BANANA) symbol, Lemon (LEMON) symbol, Melon (MELON) symbol, Cherry (CHRY) symbol, Ice Cream Cone (CONE) symbol, Pineapple (PINAPL) symbol, Peach (PEACH) symbol, Gummy Bear (BEAR) symbol, Rainbow (RAINBW) symbol, Pie (PIE) symbol, Marshmallow (MALLO) symbol, Horseshoe (SHOE) symbol, Star (STAR) symbol and a 7 (SVN) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: Free (TICKET), \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$3<sup>.00</sup> (THR DOL), \$4<sup>.00</sup> (FOR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$7,000 (SVN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100, \$500 and \$7,000. The player can win up to 4 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Sweet 7s instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$7,000 (SVN THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$7,000.

(b) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears

in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(o) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(p) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets with a 7 (SVN) symbol in a "GAME," and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets with three like play symbols in the same "GAME," and a prize symbol of FREE (TICKET) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania Sweet 7s 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:

Match 3 Like Symbols Across The Same Game, Win Prize Shown To The Right Of That Game. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
FREE	FREE \$1 TICKET	9.38	1,280,000
\$1 × 2	\$2	60	200,000
\$2 w/ 7 SYMBOL	\$2	60	200,000
\$2	\$2	60	200,000
\$1 × 3	\$3	150	80,000
\$2 + \$1	\$3	150	80,000
\$3 w/ 7 SYMBOL	\$3	100	120,000
\$3	\$3	150	80,000
(\$2 × 2) + \$1	\$5	300	40,000
\$5 w/ 7 SYMBOL	\$5	200	60,000
\$5	\$5	200	60,000
\$5 × 2	\$10	1,000	12,000
(\$2 × 3) + \$4	\$10	1,000	12,000
(\$4 × 2) + \$2	\$10	1,000	12,000
(\$3 × 2) + (\$2 × 2)	\$10	1,000	12,000
\$10 w/ 7 SYMBOL	\$10	600	20,000
\$10	\$10	600	20,000
\$5 × 4	\$20	1,500	8,000
\$10 × 2	\$20	1,500	8,000
(\$5 × 2) + \$10	\$20	1,500	8,000
\$20 w/ 7 SYMBOL	\$20	1,500	8,000
\$20	\$20	1,500	8,000
(\$10 × 3) + \$20	\$50	3,000	4,000
(\$20 × 2) + (\$5 × 2)	\$50	3,000	4,000
\$50 w/ 7 SYMBOL	\$50	3,000	4,000
\$50	\$50	3,000	4,000
\$50 × 2	\$100	16,000	750
(\$20 × 2) + \$50 + \$10	\$100	16,000	750
\$100 w/ 7 SYMBOL	\$100	16,000	750
\$100	\$100	16,000	750
\$500	\$500	16,000	750
\$7,000	\$7,000	480,000	25

Reveal a "7" (SVN) symbol in any game, win prize shown for that game.

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 Sweet 7s 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 Sweet 7s, prize money from winning Pennsylvania Sweet 7s 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 Sweet 7s 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 Sweet 7s or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-1497. Filed for public inspection August 9, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### AK Coal Resources, Inc. v. DEP; EHB Doc. No. 2013-108-B

AK Coal Resources, Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to AK Coal Resources, Inc. for a facility in Jenner 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. 13-1498. Filed for public inspection August 9, 2013, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the addition of 17 stream sections to its list of Class A Wild Trout Streams as set forth at 43 Pa.B. 2689 (May 11, 2013) and the addition of Logan Branch, Section 01, Centre County, as set forth at 43 Pa.B. 1059 (February 16, 2013). The limits of this section of Logan Branch should read "Cullen's upper spring downstream to confluence with the unnamed tributary 135 m upstream of T-371 (Krauts Farm) Bridge," not "Cullin's upper spring" as published at 43 Pa.B. 1059.

Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renew-

able natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-1499. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Classification of Wild Trout Streams; Additions to and Removals from the List

The Fish and Boat Commission (Commission) has approved the addition of 47 new waters to its list of wild trout streams and the removal of three waters from the list as published at 43 Pa.B. 2688 (May 11, 2013). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's web site at [http://www.fish.state.pa.us/trout\\_repro.htm](http://www.fish.state.pa.us/trout_repro.htm).

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-1500. Filed for public inspection August 9, 2013, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16-56	Department of State Lobbying Disclosure Registration Fee 43 Pa.B. 3009 (June 1, 2013)	7/1/13	7/31/13

**Department of State**  
**Regulation #16-56 (IRRC #3012)**  
**Lobbying Disclosure Registration Fee**  
**July 31, 2013**

We submit for your consideration the following comments on the proposed rulemaking published in the June 1, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review

Act (71 P. S. § 745.5a(a)) directs the Department of State (Department) to respond to all comments received from us or any other source.

**1. Comments of the House State Government Committee—Legislative intent; Policy decision of such a substantial nature that it requires legislative review; Economic impact; Reasonableness.**

In a letter dated June 26, 2013, the House State Government Committee (Committee) said, in part, "Quite

simply we believe that the proposed increase is excessive.” The Committee’s comments include the following points:

- The Committee questions whether legislators envisioned that the authority to adjust biennial fees granted by the law in 2006 would have been used to propose a 250 percent fee increase.
- The Department’s statement that the fee increase may cause one-third of current registrants to drop their registration suggests that the excessive magnitude of the increase will have real and practical impact on individuals, businesses and other organizations that may desire to lobby their government.
- The Committee urges the Department to consider withdrawing the regulation.

We share the concerns raised in the Committee’s comments. If the Department does not withdraw the regulation, the Department should reach consensus with the Committee prior to filing a final-form regulation.

If the Department chooses to proceed with this rule-making, we raise the following additional concerns with this regulation.

**2. Comments of House Democratic Leader Frank Dermody—Legislative intent; Policy decision of such a substantial nature that it requires legislative review; Economic impact; Reasonableness.**

House Democratic Leader Frank Dermody submitted comments dated July 23, 2013. His comments explain several concerns with the fee increase, including the “exorbitant” amount of the increase and its effect on persons associated with nonprofit organizations and small membership-based advocacy groups with limited financial resources. He also questions whether the fee increase would pass constitutional muster as it may infringe on free speech rights and the rights of citizenry to petition their government. While his comments express support for the disclosure of lobbying, he submits that “the proposed fee increase is unconstitutional, unreasonable, contrary to the intent of the lobbying disclosure statute and, therefore, not in the public interest.”

We will review the Department’s responses to these concerns as part of our determination of whether the final-form regulation is in the public interest. In addition, the Department should reach consensus with Representative Dermody prior to filing a final-form regulation.

**3. Communication with the regulated community.—Reasonableness; Compliance with provisions of the Regulatory Review Act.**

*Governor’s Executive Order 1996-1*

Regulatory Analysis Form (RAF) 14 asks the Department to describe the communications with the regulated community and list the specific groups involved. The Department responded:

The Department did not seek input from the public or other groups because the Department’s lobbying disclosure budget is an administrative function. Additionally, it is necessary for the Department to raise the registration fee so that it may defray its costs of administering the act.

Governor’s Executive Order 1996-1 requires that “regulations shall be drafted and promulgated with early and meaningful input from the regulated community.” In addition, this order states in Section 3 (Pre-Drafting and

Drafting Guidelines) that “agencies, where practical, shall undertake extensive public outreach to those who are likely to be affected by the regulation.” See Governor’s Executive Order 1996-1, Sections 1.h. and 3.a.

We strongly disagree that raising fees by regulation is an administrative function that does not require communications with the regulated community. The amount of public comment on the proposed regulation and the issues raised in those comments demonstrate the importance and value of their input and perspectives. Why did the Department see no need for “early and meaningful input from the regulated community,” as directed by Governor’s Executive Order 1996-1?

*Public comments*

The public commentators oppose the fee increase and raise issues that include:

- Many groups can barely put together enough money to maintain a part time lobbyist and may discontinue lobbying. Forcing groups out of participating in the legislative process is bad policy.
- Increased fees could prevent lobbying activities by small businesses.
- Advocacy groups do not have clients and do not bill for their services. They can only absorb the fee increase by decreasing their services.
- Heavily regulated industries must hire lobbyists to monitor legislation and represent their interests. The fee increase will make that vital function more expensive.
- The fee increase is a significant burden on small lobbying efforts, particularly for non-profit organizations.
- This dramatic increase is a disincentive for citizens to engage in the democratic process. Many organizations will face the difficult decision of whether to engage in lobbying along with its costs or forfeit their right to engage in public policy making.
- The fee increase could create barriers to transparency.
- Several commentators suggest implementing a fee schedule with different rates such as a sliding scale fee.

We strongly recommend that the Department meet with the regulated community prior to submitting a final-form regulation to resolve and reach consensus on the many concerns raised with the fee increase.

**4. Balancing the provisions of the Lobbying Disclosure Act.—Legislative intent; Reasonableness; Protection of the public health, safety and welfare.**

The Lobbying Disclosure Act (Act) includes the following statement of intent:

... The ability of the people to exercise their fundamental authority and to have confidence in the integrity of the processes by which laws are made and enforced in this Commonwealth demands that the identity and scope of activity of those who are paid to influence the actions of the General Assembly and the Executive Department be publicly and regularly disclosed.

The Act set an original fee of \$100 for registration and allowed for increases in that fee. The Act also provides exemptions and inflation of the dollar amount threshold for exemptions. See 65 P. S. §§ 13A02(a) and 13A08(j).

The Committee has commented that the fee increase is simply too much. Additionally, counsel to Senator Joe Scarnati commented that when the Act was developed, there was little to no discussion of setting the registration fee at an amount that would cover the entire cost of administering the program.

Several commentators stated that lobbying efforts will be curtailed or possibly eliminated if the fee is increased to \$700. Some commentators describe the increase as unconstitutional because it would limit their right to free speech. The Department itself assumes in RAF 19 that one third of current registrants will drop their registration. Based on the comments, it appears that the fee increase will curtail the disclosure that the Act has accomplished to date. Why is this result in the public interest? The Department should provide an explanation justifying how it has balanced the fee increase with the rights of individuals to express their views in the legislative process and “the public disclosure of the identity and scope of activity of those who are paid to influence the actions of the General Assembly and the Executive Department.”

##### **5. Revenues and costs—Consistency with statute; Fiscal impact; Reasonableness.**

The Department’s authority for this regulation is Subsection (j) Inflation adjustment of 65 P. S. § 13A08 which states, in part:

... On a biennial basis commencing in January 2009, the department shall review the filing fee established under section 13A10 (relating to registration fees; fund established; system; regulations) and may by regulation adjust this amount if the department determines that a higher fee is needed to cover the costs of carrying out the provisions of this chapter. . . .

We have several questions and concerns relating to the documentation provided with the proposed regulation in support of the determination that “a higher fee is needed to cover the costs of carrying out the provisions of this chapter.” We ask the Department for supporting documentation of total dollar amounts it has used for annual and biennial periods. We request a breakdown of the dollars by activity to show how the dollars are spent. In addition, as explained below, the Department should review all of the cost and revenue estimates it presents in the final-form regulation to make sure the numbers are sufficiently explained and are consistent.

##### *Costs of carrying out the provisions of this chapter*

Several commentators suggested that the Department should minimize costs before passing the costs onto the regulated community by raising fees. A commentator alleges that the Department has selected vendors that resulted in cost overruns and delays in implementing the electronic system. Another commentator questions whether all expenses related to carrying out the Act are necessary and believes there is a significant overlap in audit activities. The Department should provide an explanation demonstrating that the expenses exclusively represent the costs of carrying out the provisions of the Act and what the Department has done to reduce expenses to the greatest extent possible before imposing a higher fee on the regulated community.

##### *Projected revenues*

In response to RAF 19, the Department states that it “assumes that as many as one-third of the individuals and entities currently registered will not seek to register when the new fees go into effect in the 2015-2016 registration period.” How did the Department calculate this one-third assumption? How did the Department incorporate this assumption into the fee increase, revenue and expense dollar estimates shown elsewhere in the RAF and Preamble? Did the Department evaluate the cost effectiveness of losing a third of registrants and their revenue due to the magnitude of the fee increase?

##### *Reconciliation of revenues*

In response to RAF 19 the Department estimates regulated entities will incur an additional cost of \$1,349,500 for the 2015-2016 registration period. However, RAF 23 appears to show an increased cost to the regulated community of \$2,210,600. The Department should reconcile these amounts in the RAF submitted with the final-form regulation.

##### *Reconciliation of expenditures*

In response to RAF 18, the Department provides the following example of spending:

... for the 2011-2012 biennial registration period, the Department spent approximately \$1,800,394 to administer the act and received approximately \$733,879 in registration fees. The balance, approximately sixty-three percent (63%) of the total expended, was financed from the General Fund. . . .

In regard to fees, RAF 18 also includes a table that shows a figure of \$665,000 of funds used from the restricted account, not the \$733,879 fee figure in the example. What accounts for the difference between the fees received and the funds withdrawn from the restricted account?

In regard to overall expenditures, RAF 18 states that \$1,800,394 was spent to administer the program for the 2011-2012 biennial registration period. However, RAF 23a, which asks for an expenditure history, does not demonstrate expenditures for any two years that totals to \$1,800,394. For example, the expenditures for FY-1 (\$832,834) and FY-2 (\$853,622), when added together equal \$1,686,456, not \$1,800,394. We ask the Department to reconcile the amounts presented in RAF 18 and RAF 23a.

##### **6. Threshold for registration—Legislative intent; Economic impact; Exemption for individuals or small businesses; Less costly or less intrusive alternative for small businesses; Reasonableness.**

RAF 27, in part, asks the Department to explain:

In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses. . . .

The Department response includes the statements that the Department did not consider less stringent reporting requirements for small business, and the Act already includes exemptions.

The Act, at 65 P. S. §§ 13A06(4), 13A04(6) and 13A05(d), specifies exemptions from registration and reporting for activities that do not exceed \$2,500 in value in a reporting period. The Department included the \$2,500 thresholds in its regulation at 51 Pa. Code §§ 55.1(a),

55.1(b), 57.2(a)(4), and 57.2(a)(6). These thresholds have not been increased above the original statutory amount of \$2,500 established in 2006 by the Act.

Subsection (j) Inflation adjustment of 65 P. S. § 13A08 states, in part:

On a biennial basis commencing in January 2009, the department shall review the threshold under section 13A06 (relating to exemption from registration and reporting) for registration under section 13A04 (relating to registration) and the threshold for reporting under section 13A05(d) (relating to reporting) and shall increase these amounts to rates deemed reasonable for assuring appropriate disclosure. . . .

At this point in time, the Department has reviewed the thresholds three times, in January of 2009, 2011 and 2013. In addition, the Department has gained experience relating to “assuring appropriate disclosure” through the reports that have been filed over several years.

The Department should justify why it has not increased the thresholds. The \$2,500 thresholds effectively are more stringent today than the original thresholds specified in the statute because they have not been increased to reflect inflation. As a result, entities that could be exempted may be incurring unnecessary costs to register, prepare reports and pay fees and the Department may be incurring unnecessary costs to regulate them.

The Department should explain how the original thresholds specified in the Act of \$2,500 are reasonable today, the details of how the Department has determined the original \$2,500 thresholds continue to be “deemed reasonable for assuring public disclosure,” and how the Department has met the statutory requirement and intent to review thresholds as required by 65 P. S. § 13A08(j).

[Pa.B. Doc. No. 13-1501. Filed for public inspection August 9, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application by Independence Blue Cross for Approval to Restructure Its Insurance Holding Company System

Independence Blue Cross has filed an application for approval to restructure its holding company system resulting in a change of control of Independence Blue Cross and its Pennsylvania domiciled insurance company subsidiaries. The affected subsidiaries include: AmeriHealth HMO, Inc., Vista Health Plan, Inc., Keystone Health Plan East, Inc., Region 6 Rx Corp., QCC Insurance Company, Inter-County Health Plan, Inc., Inter-County Hospitalization Plan, Inc. and CBHNP Services, Inc. The change of control will result from a Plan of Division of Independence Blue Cross. The division of a nonprofit corporation is provided for in 15 Pa.C.S. § 5951 (relating to division authorized). The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 60 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or cbybee@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1502. Filed for public inspection August 9, 2013, 9:00 a.m.]

### Pennsylvania 2012 Private Passenger Automobile; Data Call (Act 6 Data Call)

Each year, the Insurance Department (Department) conducts routine “Data Calls” to companies licensed to write motor vehicle insurance in this Commonwealth. Data Calls are used to monitor the auto insurance marketplace and to collect data for statutory reports. On July 26, 2013, the Department sent notification of the Act 6 Data Call to be completed by companies who are licensed to write private passenger automobile insurance in this Commonwealth. The 2012 Data Call letter, instructions and data formats are available on the Department’s web site [www.insurance.pa.gov](http://www.insurance.pa.gov).

Companies with Pennsylvania private passenger automobile direct written premium in 2012 are required to complete Parts 1 and 2. Data for more than one insurance company may not be combined into a single submission. This information is to be submitted to the Department no later than October 15, 2013.

Insurance Companies with no Pennsylvania private passenger automobile direct written premium in 2012 are required to submit only Part 2. This is to be submitted to the Department no later than October 15, 2013.

Consistent with previous Data Calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Submissions and inquires should be directed to James Di Santo, Insurance Department, Insurance Product Regulation and Administration, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2118 or jadisanto@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1503. Filed for public inspection August 9, 2013, 9:00 a.m.]

# OFFICE OF ADMINISTRATION

## Coverage Amount of Group Life Insurance for Commonwealth Employees

The following schedules provide the coverage amount of group life insurance for employees of the Commonwealth as required by section 1503-A of The Fiscal Code (72 P. S. § 1503-A). The coverage amount is one times annual salary rounded to the nearest one thousand, up to the maximum stated in the schedule. There are three schedules because some groups of employees have a different maximum of coverage. The three schedules are as follows: 1) Class 1, which is most employees (including participating independent agencies); 2) Pennsylvania State Police Members as well as State System of Higher Education Faculty and Management; and 3) University Presidents of the State System of Higher Education.

KELLY POWELL LOGAN,  
*Secretary*

### Schedule of Life Insurance Class 1 employees

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
less than \$2,500	\$2,500	\$1,625	\$1,250
\$2,500 & less than \$3,500	\$3,000	\$1,950	\$1,500
\$3,500 & less than \$4,500	\$4,000	\$2,600	\$2,000
\$4,500 & less than \$5,500	\$5,000	\$3,250	\$2,500
\$5,500 & less than \$6,500	\$6,000	\$3,900	\$3,000
\$6,500 & less than \$7,500	\$7,000	\$4,550	\$3,500
\$7,500 & less than \$8,500	\$8,000	\$5,200	\$4,000
\$8,500 & less than \$9,500	\$9,000	\$5,850	\$4,500
\$9,500 & less than \$10,500	\$10,000	\$6,500	\$5,000
\$10,500 & less than \$11,500	\$11,000	\$7,150	\$5,500
\$11,500 & less than \$12,500	\$12,000	\$7,800	\$6,000
\$12,500 & less than \$13,500	\$13,000	\$8,450	\$6,500
\$13,500 & less than \$14,500	\$14,000	\$9,100	\$7,000
\$14,500 & less than \$15,500	\$15,000	\$9,750	\$7,500
\$15,500 & less than \$16,500	\$16,000	\$10,400	\$8,000
\$16,500 & less than \$17,500	\$17,000	\$11,050	\$8,500
\$17,500 & less than \$18,500	\$18,000	\$11,700	\$9,000
\$18,500 & less than \$19,500	\$19,000	\$12,350	\$9,500
\$19,500 & less than \$20,500	\$20,000	\$13,000	\$10,000
\$20,500 & less than \$21,500	\$21,000	\$13,650	\$10,500
\$21,500 & less than \$22,500	\$22,000	\$14,300	\$11,000
\$22,500 & less than \$23,500	\$23,000	\$14,950	\$11,500
\$23,500 & less than \$24,500	\$24,000	\$15,600	\$12,000
\$24,500 & less than \$25,500	\$25,000	\$16,250	\$12,500
\$25,500 & less than \$26,500	\$26,000	\$16,900	\$13,000
\$26,500 & less than \$27,500	\$27,000	\$17,550	\$13,500
\$27,500 & less than \$28,500	\$28,000	\$18,200	\$14,000
\$28,500 & less than \$29,500	\$29,000	\$18,850	\$14,500
\$29,500 & less than \$30,500	\$30,000	\$19,500	\$15,000
\$30,500 & less than \$31,500	\$31,000	\$20,150	\$15,500
\$31,500 & less than \$32,500	\$32,000	\$20,800	\$16,000
\$32,500 & less than \$33,500	\$33,000	\$21,450	\$16,500
\$33,500 & less than \$34,500	\$34,000	\$22,100	\$17,000
\$34,500 & less than \$35,500	\$35,000	\$22,750	\$17,500
\$35,500 & less than \$36,500	\$36,000	\$23,400	\$18,000
\$36,500 & less than \$37,500	\$37,000	\$24,050	\$18,500



<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
\$37,500 & less than \$38,500	\$38,000	\$24,700	\$19,000
\$38,500 & less than \$39,500	\$39,000	\$25,350	\$19,500
\$39,500 & over	\$40,000	\$26,000	\$20,000

**Schedule of Life Insurance PA State Police Enlisted Members and PA State System of Higher Education Faculty and Management Staff**

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
less than \$2,500	\$2,500	\$1,625	\$1,250
\$2,500 & less than \$3,500	\$3,000	\$1,950	\$1,500
\$3,500 & less than \$4,500	\$4,000	\$2,600	\$2,000
\$4,500 & less than \$5,500	\$5,000	\$3,250	\$2,500
\$5,500 & less than \$6,500	\$6,000	\$3,900	\$3,000
\$6,500 & less than \$7,500	\$7,000	\$4,550	\$3,500
\$7,500 & less than \$8,500	\$8,000	\$5,200	\$4,000
\$8,500 & less than \$9,500	\$9,000	\$5,850	\$4,500
\$9,500 & less than \$10,500	\$10,000	\$6,500	\$5,000
\$10,500 & less than \$11,500	\$11,000	\$7,150	\$5,500
\$11,500 & less than \$12,500	\$12,000	\$7,800	\$6,000
\$12,500 & less than \$13,500	\$13,000	\$8,450	\$6,500
\$13,500 & less than \$14,500	\$14,000	\$9,100	\$7,000
\$14,500 & less than \$15,500	\$15,000	\$9,750	\$7,500
\$15,500 & less than \$16,500	\$16,000	\$10,400	\$8,000
\$16,500 & less than \$17,500	\$17,000	\$11,050	\$8,500
\$17,500 & less than \$18,500	\$18,000	\$11,700	\$9,000
\$18,500 & less than \$19,500	\$19,000	\$12,350	\$9,500
\$19,500 & less than \$20,500	\$20,000	\$13,000	\$10,000
\$20,500 & less than \$21,500	\$21,000	\$13,650	\$10,500
\$21,500 & less than \$22,500	\$22,000	\$14,300	\$11,000
\$22,500 & less than \$23,500	\$23,000	\$14,950	\$11,500
\$23,500 & less than \$24,500	\$24,000	\$15,600	\$12,000
\$24,500 & less than \$25,500	\$25,000	\$16,250	\$12,500
\$25,500 & less than \$26,500	\$26,000	\$16,900	\$13,000
\$26,500 & less than \$27,500	\$27,000	\$17,550	\$13,500
\$27,500 & less than \$28,500	\$28,000	\$18,200	\$14,000
\$28,500 & less than \$29,500	\$29,000	\$18,850	\$14,500
\$29,500 & less than \$30,500	\$30,000	\$19,500	\$15,000
\$30,500 & less than \$31,500	\$31,000	\$20,150	\$15,500
\$31,500 & less than \$32,500	\$32,000	\$20,800	\$16,000
\$32,500 & less than \$33,500	\$33,000	\$21,450	\$16,500
\$33,500 & less than \$34,500	\$34,000	\$22,100	\$17,000
\$34,500 & less than \$35,500	\$35,000	\$22,750	\$17,500
\$35,500 & less than \$36,500	\$36,000	\$23,400	\$18,000
\$36,500 & less than \$37,500	\$37,000	\$24,050	\$18,500
\$37,500 & less than \$38,500	\$38,000	\$24,700	\$19,000
\$38,500 & less than \$39,500	\$39,000	\$25,350	\$19,500
\$39,500 & less than \$40,500	\$40,000	\$26,000	\$20,000
\$40,500 & less than \$41,500	\$41,000	\$26,650	\$20,500
\$41,500 & less than \$42,500	\$42,000	\$27,300	\$21,000

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
\$42,500 & less than \$43,500	\$43,000	\$27,950	\$21,500
\$43,500 & less than \$44,500	\$44,000	\$28,600	\$22,000
\$44,500 & less than \$45,500	\$45,000	\$29,250	\$22,500
\$45,500 & less than \$46,500	\$46,000	\$29,900	\$23,000
\$46,500 & less than \$47,500	\$47,000	\$30,550	\$23,500
\$47,500 & less than \$48,500	\$48,000	\$31,200	\$24,000
\$48,500 & less than \$49,500	\$49,000	\$31,850	\$24,500
\$49,500 and over	\$50,000	\$32,500	\$25,000

**Schedule of Life Insurance PA State System of Higher Education University Presidents**

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
less than \$2,500	\$2,500	\$1,625	\$1,250
\$2,500 & less than \$3,500	\$3,000	\$1,950	\$1,500
\$3,500 & less than \$4,500	\$4,000	\$2,600	\$2,000
\$4,500 & less than \$5,500	\$5,000	\$3,250	\$2,500
\$5,500 & less than \$6,500	\$6,000	\$3,900	\$3,000
\$6,500 & less than \$7,500	\$7,000	\$4,550	\$3,500
\$7,500 & less than \$8,500	\$8,000	\$5,200	\$4,000
\$8,500 & less than \$9,500	\$9,000	\$5,850	\$4,500
\$9,500 & less than \$10,500	\$10,000	\$6,500	\$5,000
\$10,500 & less than \$11,500	\$11,000	\$7,150	\$5,500
\$11,500 & less than \$12,500	\$12,000	\$7,800	\$6,000
\$12,500 & less than \$13,500	\$13,000	\$8,450	\$6,500
\$13,500 & less than \$14,500	\$14,000	\$9,100	\$7,000
\$14,500 & less than \$15,500	\$15,000	\$9,750	\$7,500
\$15,500 & less than \$16,500	\$16,000	\$10,400	\$8,000
\$16,500 & less than \$17,500	\$17,000	\$11,050	\$8,500
\$17,500 & less than \$18,500	\$18,000	\$11,700	\$9,000
\$18,500 & less than \$19,500	\$19,000	\$12,350	\$9,500
\$19,500 & less than \$20,500	\$20,000	\$13,000	\$10,000
\$20,500 & less than \$21,500	\$21,000	\$13,650	\$10,500
\$21,500 & less than \$22,500	\$22,000	\$14,300	\$11,000
\$22,500 & less than \$23,500	\$23,000	\$14,950	\$11,500
\$23,500 & less than \$24,500	\$24,000	\$15,600	\$12,000
\$24,500 & less than \$25,500	\$25,000	\$16,250	\$12,500
\$25,500 & less than \$26,500	\$26,000	\$16,900	\$13,000
\$26,500 & less than \$27,500	\$27,000	\$17,550	\$13,500
\$27,500 & less than \$28,500	\$28,000	\$18,200	\$14,000
\$28,500 & less than \$29,500	\$29,000	\$18,850	\$14,500
\$29,500 & less than \$30,500	\$30,000	\$19,500	\$15,000
\$30,500 & less than \$31,500	\$31,000	\$20,150	\$15,500
\$31,500 & less than \$32,500	\$32,000	\$20,800	\$16,000
\$32,500 & less than \$33,500	\$33,000	\$21,450	\$16,500
\$33,500 & less than \$34,500	\$34,000	\$22,100	\$17,000
\$34,500 & less than \$35,500	\$35,000	\$22,750	\$17,500
\$35,500 & less than \$36,500	\$36,000	\$23,400	\$18,000
\$36,500 & less than \$37,500	\$37,000	\$24,050	\$18,500

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
\$37,500 & less than \$38,500	\$38,000	\$24,700	\$19,000
\$38,500 & less than \$39,500	\$39,000	\$25,350	\$19,500
\$39,500 & less than \$40,500	\$40,000	\$26,000	\$20,000
\$40,500 & less than \$41,500	\$41,000	\$26,650	\$20,500
\$41,500 & less than \$42,500	\$42,000	\$27,300	\$21,000
\$42,500 & less than \$43,500	\$43,000	\$27,950	\$21,500
\$43,500 & less than \$44,500	\$44,000	\$28,600	\$22,000
\$44,500 & less than \$45,500	\$45,000	\$29,250	\$22,500
\$45,500 & less than \$46,500	\$46,000	\$29,900	\$23,000
\$46,500 & less than \$47,500	\$47,000	\$30,550	\$23,500
\$47,500 & less than \$48,500	\$48,000	\$31,200	\$24,000
\$48,500 & less than \$49,500	\$49,000	\$31,850	\$24,500
\$49,500 & less than \$50,500	\$50,000	\$32,500	\$25,000
\$50,500 & less than \$51,500	\$51,000	\$33,150	\$25,500
\$51,500 & less than \$52,500	\$52,000	\$33,800	\$26,000
\$52,500 & less than \$53,500	\$53,000	\$34,450	\$26,500
\$53,500 & less than \$54,500	\$54,000	\$35,100	\$27,000
\$54,500 & less than \$55,500	\$55,000	\$35,750	\$27,500
\$55,500 & less than \$56,500	\$56,000	\$36,400	\$28,000
\$56,500 & less than \$57,500	\$57,000	\$37,050	\$28,500
\$57,500 & less than \$58,500	\$58,000	\$37,700	\$29,000
\$58,500 & less than \$59,500	\$59,000	\$38,350	\$29,500
\$59,500 & less than \$60,500	\$60,000	\$39,000	\$30,000
\$60,500 & less than \$61,500	\$61,000	\$39,650	\$30,500
\$61,500 & less than \$62,500	\$62,000	\$40,300	\$31,000
\$62,500 & less than \$63,500	\$63,000	\$40,950	\$31,500
\$63,500 & less than \$64,500	\$64,000	\$41,600	\$32,000
\$64,500 & less than \$65,500	\$65,000	\$42,250	\$32,500
\$65,500 & less than \$66,500	\$66,000	\$42,900	\$33,000
\$66,500 & less than \$67,500	\$67,000	\$43,550	\$33,500
\$67,500 & less than \$68,500	\$68,000	\$44,200	\$34,000
\$68,500 & less than \$69,500	\$69,000	\$44,850	\$34,500
\$69,500 & less than \$70,500	\$70,000	\$45,500	\$35,000
\$70,500 & less than \$71,500	\$71,000	\$46,150	\$35,500
\$71,500 & less than \$72,500	\$72,000	\$46,800	\$36,000
\$72,500 & less than \$73,500	\$73,000	\$47,450	\$36,500
\$73,500 & less than \$74,500	\$74,000	\$48,100	\$37,000
\$74,500 & less than \$75,500	\$75,000	\$48,750	\$37,500
\$75,500 & less than \$76,500	\$76,000	\$49,400	\$38,000
\$76,500 & less than \$77,500	\$77,000	\$50,050	\$38,500
\$77,500 & less than \$78,500	\$78,000	\$50,700	\$39,000
\$78,500 & less than \$79,500	\$79,000	\$51,350	\$39,500
\$79,500 & less than \$80,500	\$80,000	\$52,000	\$40,000
\$80,500 & less than \$81,500	\$81,000	\$52,650	\$40,500
\$81,500 & less than \$82,500	\$82,000	\$53,300	\$41,000
\$82,500 & less than \$83,500	\$83,000	\$53,950	\$41,500
\$83,500 & less than \$84,500	\$84,000	\$54,600	\$42,000

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
\$84,500 & less than \$85,500	\$85,000	\$55,250	\$42,500
\$85,500 & less than \$86,500	\$86,000	\$55,900	\$43,000
\$86,500 & less than \$87,500	\$87,000	\$56,550	\$43,500
\$87,500 & less than \$88,500	\$88,000	\$57,200	\$44,000
\$88,500 & less than \$89,500	\$89,000	\$57,850	\$44,500
\$89,500 & less than \$90,500	\$90,000	\$58,500	\$45,000
\$90,500 & less than \$91,500	\$91,000	\$59,150	\$45,500
\$91,500 & less than \$92,500	\$92,000	\$59,800	\$46,000
\$92,500 & less than \$93,500	\$93,000	\$60,450	\$46,500
\$93,500 & less than \$94,500	\$94,000	\$61,100	\$47,000
\$94,500 & less than \$95,500	\$95,000	\$61,750	\$47,500
\$95,500 & less than \$96,500	\$96,000	\$62,400	\$48,000
\$96,500 & less than \$97,500	\$97,000	\$63,050	\$48,500
\$97,500 & less than \$98,500	\$98,000	\$63,700	\$49,000
\$98,500 & less than \$99,500	\$99,000	\$64,350	\$49,500
\$99,500 & less than \$100,500	\$100,000	\$65,000	\$50,000
\$100,500 & less than \$101,500	\$101,000	\$65,650	\$50,500
\$101,500 & less than \$102,500	\$102,000	\$66,300	\$51,000
\$102,500 & less than \$103,500	\$103,000	\$66,950	\$51,500
\$103,500 & less than \$104,500	\$104,000	\$67,600	\$52,000
\$104,500 & less than \$105,500	\$105,000	\$68,250	\$52,500
\$105,500 & less than \$106,500	\$106,000	\$68,900	\$53,000
\$106,500 & less than \$107,500	\$107,000	\$69,550	\$53,500
\$107,500 & less than \$108,500	\$108,000	\$70,200	\$54,000
\$108,500 & less than \$109,500	\$109,000	\$70,850	\$54,500
\$109,500 & less than \$110,500	\$110,000	\$71,500	\$55,000
\$110,500 & less than \$111,500	\$111,000	\$72,150	\$55,500
\$111,500 & less than \$112,500	\$112,000	\$72,800	\$56,000
\$112,500 & less than \$113,500	\$113,000	\$73,450	\$56,500
\$113,500 & less than \$114,500	\$114,000	\$74,100	\$57,000
\$114,500 & less than \$115,500	\$115,000	\$74,750	\$57,500
\$115,500 & less than \$116,500	\$116,000	\$75,400	\$58,000
\$116,500 & less than \$117,500	\$117,000	\$76,050	\$58,500
\$117,500 & less than \$118,500	\$118,000	\$76,700	\$59,000
\$118,500 & less than \$119,500	\$119,000	\$77,350	\$59,500
\$119,500 & less than \$120,500	\$120,000	\$78,000	\$60,000
\$120,500 & less than \$121,500	\$121,000	\$78,650	\$60,500
\$121,500 & less than \$122,500	\$122,000	\$79,300	\$61,000
\$122,500 & less than \$123,500	\$123,000	\$79,950	\$61,500
\$123,500 & less than \$124,500	\$124,000	\$80,600	\$62,000
\$124,500 & less than \$125,500	\$125,000	\$81,250	\$62,500
\$125,500 & less than \$126,500	\$126,000	\$81,900	\$63,000
\$126,500 & less than \$127,500	\$127,000	\$82,550	\$63,500
\$127,500 & less than \$128,500	\$128,000	\$83,200	\$64,000
\$128,500 & less than \$129,500	\$129,000	\$83,850	\$64,500
\$129,500 & less than \$130,500	\$130,000	\$84,500	\$65,000
\$130,500 & less than \$131,500	\$131,000	\$85,150	\$65,500

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
\$131,500 & less than \$132,500	\$132,000	\$85,800	\$66,000
\$132,500 & less than \$133,500	\$133,000	\$86,450	\$66,500
\$133,500 & less than \$134,500	\$134,000	\$87,100	\$67,000
\$134,500 & less than \$135,500	\$135,000	\$87,750	\$67,500
\$135,500 & less than \$136,500	\$136,000	\$88,400	\$68,000
\$136,500 & less than \$137,500	\$137,000	\$89,050	\$68,500
\$137,500 & less than \$138,500	\$138,000	\$89,700	\$69,000
\$138,500 & less than \$139,500	\$139,000	\$90,350	\$69,500
\$139,500 & less than \$140,500	\$140,000	\$91,000	\$70,000
\$140,500 & less than \$141,500	\$141,000	\$91,650	\$70,500
\$141,500 & less than \$142,500	\$142,000	\$92,300	\$71,000
\$142,500 & less than \$143,500	\$143,000	\$92,950	\$71,500
\$143,500 & less than \$144,500	\$144,000	\$93,600	\$72,000
\$144,500 & less than \$145,500	\$145,000	\$94,250	\$72,500
\$145,500 & less than \$146,500	\$146,000	\$94,900	\$73,000
\$146,500 & less than \$147,500	\$147,000	\$95,550	\$73,500
\$147,500 & less than \$148,500	\$148,000	\$96,200	\$74,000
\$148,500 & less than \$149,500	\$149,000	\$96,850	\$74,500
\$149,500 & less than \$150,500	\$150,000	\$97,500	\$75,000
\$150,500 & less than \$151,500	\$151,000	\$98,150	\$75,500
\$151,500 & less than \$152,500	\$152,000	\$98,800	\$76,000
\$152,500 & less than \$153,500	\$153,000	\$99,450	\$76,500
\$153,500 & less than \$154,500	\$154,000	\$100,100	\$77,000
\$154,500 & less than \$155,500	\$155,000	\$100,750	\$77,500
\$155,500 & less than \$156,500	\$156,000	\$101,400	\$78,000
\$156,500 & less than \$157,500	\$157,000	\$102,050	\$78,500
\$157,500 & less than \$158,500	\$158,000	\$102,700	\$79,000
\$158,500 & less than \$159,500	\$159,000	\$103,350	\$79,500
\$159,500 & less than \$160,500	\$160,000	\$104,000	\$80,000
\$160,500 & less than \$161,500	\$161,000	\$104,650	\$80,500
\$161,500 & less than \$162,500	\$162,000	\$105,300	\$81,000
\$162,500 & less than \$163,500	\$163,000	\$105,950	\$81,500
\$163,500 & less than \$164,500	\$164,000	\$106,600	\$82,000
\$164,500 & less than \$165,500	\$165,000	\$107,250	\$82,500
\$165,500 & less than \$166,500	\$166,000	\$107,900	\$83,000
\$166,500 & less than \$167,500	\$167,000	\$108,550	\$83,500
\$167,500 & less than \$168,500	\$168,000	\$109,200	\$84,000
\$168,500 & less than \$169,500	\$169,000	\$109,850	\$84,500
\$169,500 & less than \$170,500	\$170,000	\$110,500	\$85,000
\$170,500 & less than \$171,500	\$171,000	\$111,150	\$85,500
\$171,500 & less than \$172,500	\$172,000	\$111,800	\$86,000
\$172,500 & less than \$173,500	\$173,000	\$112,450	\$86,500
\$173,500 & less than \$174,500	\$174,000	\$113,100	\$87,000
\$174,500 & less than \$175,500	\$175,000	\$113,750	\$87,500
\$175,500 & less than \$176,500	\$176,000	\$114,400	\$88,000
\$176,500 & less than \$177,500	\$177,000	\$115,050	\$88,500
\$177,500 & less than \$178,500	\$178,000	\$115,700	\$89,000

<i>Annual Salary</i>	<i>Amount of Insurance Under Age 70</i>	<i>Amount of Insurance Age 70 Through 74</i>	<i>Amount of Insurance Age 75 and Older</i>
\$178,500 & less than \$179,500	\$179,000	\$116,350	\$89,500
\$179,500 & less than \$180,500	\$180,000	\$117,000	\$90,000
\$180,500 & less than \$181,500	\$181,000	\$117,650	\$90,500
\$181,500 & less than \$182,500	\$182,000	\$118,300	\$91,000
\$182,500 & less than \$183,500	\$183,000	\$118,950	\$91,500
\$183,500 & less than \$184,500	\$184,000	\$119,600	\$92,000
\$184,500 & less than \$185,500	\$185,000	\$120,250	\$92,500
\$185,500 & less than \$186,500	\$186,000	\$120,900	\$93,000
\$186,500 & less than \$187,500	\$187,000	\$121,550	\$93,500
\$187,500 & less than \$188,500	\$188,000	\$122,200	\$94,000
\$188,500 & less than \$189,500	\$189,000	\$122,850	\$94,500
\$189,500 & less than \$190,500	\$190,000	\$123,500	\$95,000
\$190,500 & less than \$191,500	\$191,000	\$124,150	\$95,500
\$191,500 & less than \$192,500	\$192,000	\$124,800	\$96,000
\$192,500 & less than \$193,500	\$193,000	\$125,450	\$96,500
\$193,500 & less than \$194,500	\$194,000	\$126,100	\$97,000
\$194,500 & less than \$195,500	\$195,000	\$126,750	\$97,500
\$195,500 & less than \$196,500	\$196,000	\$127,400	\$98,000
\$196,500 & less than \$197,500	\$197,000	\$128,050	\$98,500
\$197,500 & less than \$198,500	\$198,000	\$128,700	\$99,000
\$198,500 & less than \$199,500	\$199,000	\$129,350	\$99,500
\$199,500 & over	\$200,000	\$130,000	\$100,000

[Pa.B. Doc. No. 13-1504. Filed for public inspection August 9, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Eligible Telecommunications Carriers; Federal Universal Service Low Income Support

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of Federal universal service low income support:

AmeriMex Communications Corp., Petition for Limited Designation as an Eligible Telecommunications Carrier for the Purpose of Offering Lifeline Service on a Wireless Basis; Doc. No. P-2013-2369557

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket numbers within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petitions at the Commission web site <http://www.puc.state.pa.us/> or hard copies are available for a fee by means of written request to the Secretary of the

Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau (717) 787-6166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1505. Filed for public inspection August 9, 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 August 26, 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.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2013-2358485. Global Medical Response, Inc.** (10067 Sandmeyer Lane, Suite 313, Philadelphia, Philadelphia County, PA 19116)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City of Philadelphia, to points in Pennsylvania, and return.

**A-2013-2365149. Preferred Medical Transport, Inc.** (151 Discovery Drive, Suite 115, Colmar, Montgomery County, PA 18915)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Montgomery and Philadelphia, to points in Pennsylvania, and return.

**A-2013-2366219. Van S. Troutman** (416 Shaffer Road, Millersburg, PA 17061) for the right to begin to transport, as a common carrier by motor vehicle, persons in limousine service, between points in all Counties in Pennsylvania, excluding areas under the jurisdiction of the Philadelphia Parking Authority, and return.

**A-2013-2367073. Tony's Transit, LLC** (6344 North 8th Street, Apt 110, Philadelphia, PA 19126) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2013-2370257. Allegheny Limousine, Inc.** (326 Lucille Street, Pittsburgh, PA 15218) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Allegheny County. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 15219-3455.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2013-2364442. Adam Rachko** (817 Rockland Street, Bethlehem, PA 18017) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Lehigh Valley area which includes the Counties of Carbon, Lehigh and Northampton.

**Application of the following for the approval of the transfer of stock as described under the application.**

**A-2013-2352782. H & S Limousine Service, Inc.** (800 Willowpenn Drive, Southampton, PA 18966)—for the approval of the transfer of the issued and outstanding stock, from Christopher Spinio (50 shares) and Christopher Horne (50 shares), to Stanley Thomson Huntington.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2013-2372803. Johnsons Transfer, Inc.** (645 Old School House Drive, Springfield, Delaware County, PA 19064)—to discontinue service as a common carrier by motor vehicle, at A-00099877, authorizing the transportation, as a common carrier, by motor vehicle, household

goods in use, between points in Allentown, Lehigh County and from points in the City of Allentown, Lehigh County to points in Pennsylvania within an airline distance of 25 statute miles of the limits of said city and vice versa.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1506. Filed for public inspection August 9, 2013, 9:00 a.m.]

## Telecommunications

**A-2013-2375688. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Broadvox CLEC, LLC.** Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Broadvox CLEC, LLC for approval of an interconnection, collocation, resale agreement and VoIP Amendment under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Broadvox CLEC, LLC by its counsel, filed on July 25, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection, collocation, resale agreement and VoIP Amendment under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Broadvox CLEC, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1507. Filed for public inspection August 9, 2013, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-021.1, Phase 2 of Sheet Pile Repairs at PAMT, until 2 p.m. on Thursday, September 5, 2013. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1508. Filed for public inspection August 9, 2013, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been schedule, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employee's Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

August 22, 2013      Angela Brigido      1:30 p.m.  
(Change of Option—  
TF membership)

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 13-1509. Filed for public inspection August 9, 2013, 9:00 a.m.]

## STATE BOARD OF OSTEOPATHIC MEDICINE

### Bureau of Professional and Occupational Affairs v. Raj Yande, DO; Doc. No. 0569-53-13

On May 23, 2013, Raj Yande, DO, license no. OS013788, of Dubois, Clearfield County, had his license automatically suspended based on his conviction of a felony in violation of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

Individuals may obtain a copy of the final order by writing to Teresa Lazo, Board Counsel, State Board of Osteopathic Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Osteopathic Medicine'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.

JEFFREY A. HEEBNER, DO,  
*Chairperson*

[Pa.B. Doc. No. 13-1510. Filed for public inspection August 9, 2013, 9:00 a.m.]



