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PENNSYLVANIA BULLETIN

Volume 47
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 515, October 2017

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

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.

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

Fiscal Notes

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

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

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THE GENERAL ASSEMBLY

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING PART VIII. CRIMINAL SENTENCING [204 PA. CODE CH. 303]

Proposed Supplement of 7th Edition Amendment 4 Sentencing Guidelines

The Pennsylvania Commission on Sentencing hereby publishes for public comment a proposed supplement to Amendment 4 of the 7th Edition Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18. The proposed supplement is set forth in Annex A.

The 7th Edition Sentencing Guidelines, which the Commission adopted on September 13, 2012, apply to all offenses committed on or after their effective date of December 28, 2012. In order to address legislative mandates to develop sentencing enhancements, the Commission adopted four amendments to the 7th Edition Sentencing Guidelines.

- Amendment 1 was adopted on June 6, 2013 and became effective September 27, 2013. Two sentencing enhancements were developed: 1) murder in third degree of a person younger than age 13 and 2) related to criminal gang with conviction of a crime of violence or 35 P.S. § 780-113(a)(30). The amendment addressed sentencing ranges based on newly enacted mandatory minimum sentences for offenders younger than age 18 convicted of murder 1 or murder 2.

- Amendment 2 of the 7th Edition Sentencing Guidelines was adopted on June 5, 2014 and became effective September 26, 2014. Two sentencing enhancements were developed related to child abuse and related to arson.

- Amendment 3 of the 7th Edition Sentencing Guidelines was adopted on June 4, 2015 and became effective September 25, 2015. A sentencing enhancement for human trafficking was developed.

On June 1, 2017, the Commission adopted Amendment 4 of the 7th Edition Sentencing Guidelines. This amendment addresses legislative mandates to develop four sentencing enhancements: 1) burglary of a home/person present and bodily injury crime is committed, attempted, or threatened; 2) persons not to possess, use, manufacture, control, sell, or transfer a firearm; 3) homicide by vehicle with conviction related to prohibiting text-based communications; and 4) aggravated assault of a vehicle with conviction relating to prohibiting text-based communications.

Amendment 4 of the 7th Edition Sentencing Guidelines was published in the *Pennsylvania Bulletin* on September 2, 2017 and is currently under the 90 day review period by the General Assembly. If not rejected by concurrent resolution, it will be effective December 1, 2017 and apply to all offenses committed on or after January 1, 2018.

Soon after adoption of Amendment 4, the Commission received a request from the Allegheny County District Attorney to increase the Offense Gravity Score (OGS)

assignments for violations of 35 P.S. § 780-113(a)(12), (14) and (30) involving fentanyl and its derivatives and analogues.

The Sentencing Guidelines subcategorize violations of 35 P.S. § 780-113(a)(12), (14) and (30) based on the type and amount of drug involved in the offense. The 7th Edition Sentencing Guidelines § 303.3(e) states “if any mixture or compound contains any detectable amount of a controlled substance, the entire amount of the mixture or compound shall be deemed to be composed of a controlled substance. If a mixture or compound contains a detectable amount of more than one controlled substance, the mixture or compound shall be deemed to be composed entirely of the controlled substance which has the highest Offense Gravity Score.”

Fentanyl and its derivatives and analogues are included in the current OGS assignments for “Other narcotics of Schedule I & II,” which are the same OGS assignments as those for heroin. The U.S. Center for Disease Control and Prevention reports pharmaceutical fentanyl, a Schedule II prescription drug, is a synthetic opioid pain reliever similar to morphine, approved for treating severe pain. Illegally made fentanyl has a heroin-like effect. It is often mixed with heroin and/or cocaine with or without the user’s knowledge to increase its effects. The National Institute on Drug Abuse has stated that fentanyl is 50 to 100 times more potent than heroin.

Allegheny County has experienced a substantial increase in fentanyl-related overdose deaths in recent years; while no fentanyl-related deaths were reported in 2013, 63 deaths were reported in 2014, 126 deaths in 2015, and 412 deaths in 2016. Due to the overwhelming danger posed by fentanyl and its derivatives and analogues, the District Attorney has suggested the increases in the OGS assignments set forth in Annex A.

In accordance with 42 Pa.C.S. § 2155, the Commission shall publish in the *Pennsylvania Bulletin* all proposed sentencing guidelines and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

- (i) Pennsylvania District Attorneys Association
- (ii) Chiefs of Police Associations
- (iii) Fraternal Order of Police
- (iv) Public Defenders Organization
- (v) Law School faculty members
- (vi) Pennsylvania Board of Probation and Parole
- (vii) Pennsylvania Department of Corrections
- (viii) Pennsylvania Bar Association
- (ix) Pennsylvania Wardens Association
- (x) Pennsylvania Association on Probation, Parole and Corrections
- (xi) Pennsylvania Conference of State Trial Judges
- (xii) Any other interested person or organization

The Commission will hold the following public hearing to receive comments on the proposed supplement to Amendment 4:

Date: Wednesday, December 6, 2017

Time: 2:00 p.m.

Location: Pennsylvania Judicial Center
601 Commonwealth Avenue, Harrisburg, PA

Persons or organizations wishing to testify before the Commission are asked to bring 30 copies of any written comments to the public hearing. Arrangements to testify may be made by contacting the Commission in advance of the hearing (Susan Shaffer at 717.772.3776 or sshaffer@legis.state.pa.us). Written comments from persons or organizations not wishing to testify at the public hearing should be submitted no later than Friday, December 1, 2017 to: Mark H. Bergstrom, Executive Director, Pennsylvania Commission on Sentencing, P.O. Box 1200, State College, PA 16804-1200.

The Commission will evaluate the proposed supplement to Amendment 4 of the 7th Edition Sentencing Guidelines after consideration of the testimony and written comments received. The Commission anticipates addressing the proposed supplement during its next quarterly meeting, which will be held on December 7, 2017, at the PA Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA. All Commission meetings are open to the public. If adopted by the Commission, the proposed supplement will be published in the *Pennsylvania Bulletin* and submitted to the General Assembly for review; unless rejected by concurrent resolution, the supplement becomes effective 90 days after publication.

PRESIDENT JUDGE SHEILA A. WOODS-SKIPPER,
Chair

Commentary on Annex A

This Commentary provides selected highlights of the proposed Supplement to Amendment 4 of the 7th Edition Sentencing Guidelines. The only proposed change is within § 303.15 Offense Listings, under 35 P.S. § 780-113(a)(12), (14) and (30). Sections 303.1 through 303.14 and Sections 303.16 through 303.18 remain unchanged from 7th Edition Amendment 4 Sentencing Guidelines, adopted June 1, 2017. Additionally, there are no proposed modifications to all other offenses found in 303.15 under Pa.C.S. Titles 18, 23, 30, 42 and 75.

The proposed Supplement is set forth in Annex A and reflects Amendment 4 which is currently under the 90 day review period.

Revisions to 303.1—Sentencing guideline standards

No changes.

Revisions to 303.2—Procedure for determining the guideline sentence

No changes.

Revisions to 303.3—Offense gravity score (general)

No changes.

Revisions to 303.4—Prior record score (categories)

No changes.

Revisions to 303.5—Prior record score (prior convictions)

No changes.

Revisions to 303.6—Prior record score (prior juvenile adjudications)

No changes.

Revisions to 303.7—Prior record score (guideline points scoring)

No changes.

Revisions to 303.8—Prior record score (miscellaneous)

No changes.

Revisions to 303.9—Guideline sentence recommendations (general)

No changes.

Revisions to 303.10—Guideline sentence recommendations (enhancements)

No changes.

Revisions to 303.11—Guideline sentence recommendations (sentencing levels)

No changes.

Revisions to 303.12—Guideline sentence recommendations (sentencing programs)

No changes.

Revisions to 303.13—Guideline sentence recommendations (aggravating and mitigating circumstances)

No changes.

Revisions to 303.14—Guideline sentence recommendations (economic sanctions)

No changes.

Revisions to 303.15—Offense listing

18 Pa.C.S.A.

No changes.

23 Pa.C.S.A.

No changes.

30 Pa.C.S.A.

No changes.

35 P.S.

§ 780-113(a)(12)*. Acquisition of controlled substance by fraud—fentanyl and its derivatives and analogues

§ 780-113(a)(14)*. Delivery by practitioner—fentanyl and its derivatives and analogues

§ 780-113(a)(30)*. Possession with intent to deliver—fentanyl and its derivatives and analogues.

42 Pa.C.S.A.

No changes.

75 Pa.C.S.A.

No changes.

Revisions to 303.16—Basic Sentencing Matrices

No changes.

Revisions to 303.17—Deadly Weapon Enhancement Matrices

No changes.

Revisions to 303.18—Youth, School, Youth and School Enhancement Matrices

No changes.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

CHAPTER 303. SENTENCING GUIDELINES

(Editor's Note: For the text of § 303.15 as amended under Amendment 4 of the 7th Edition Sentencing Guidelines, see 47 Pa.B. 5141, 5206—5215 (September 2, 2017).)

§ 303.15. Offense Listing.

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DRUG ACT OFFENSES

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (1st off)	M	4	m
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (2nd/subsq off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (1st off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (2nd/subsq off)	M	4	m
(a)(3)	False/misleading advertisement (1st off)	M	4	m
(a)(3)	False/misleading advertisement (2nd/subsq off)	M	4	m
(a)(4)	Removal/disposal-detained substance (1st off)	M	5	m
(a)(4)	Removal/disposal-detained substance (2nd/subsq off)	M	5	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (1st off)	M	4	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (2nd/subsq off)	M	4	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (1st off)	M	5	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (2nd/subsq off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (1st off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (2nd/subsq off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (1st off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (2nd/subsq off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (1st off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (2nd/subsq off)	M	5	m
(a)(10)	Illegal sale of nonproprietary drug (1st off)	M	4	m
(a)(10)	Illegal sale of nonproprietary drug (2nd/subsq off)	M	4	m
(a)(11)	Illegal pharmacy operations (1st off)	M	5	m
(a)(11)	Illegal pharmacy operations (2nd/subsq off)	M	5	m
(a)(12)*	Acquisition of controlled substance by fraud-heroin (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (10-<50 g)	F	8	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-heroin (1-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (<1 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-fentanyl and its derivatives and analogues (>1000 g)	F	14	3
(a)(12)*	Acquisition of controlled substance by fraud-fentanyl and its derivatives and analogues (100-1000 g)	F	14	3
(a)(12)*	Acquisition of controlled substance by fraud-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-fentanyl and its derivatives and analogues (10-<50 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-fentanyl and its derivatives and analogues (1-<10 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-fentanyl and its derivatives and analogues (<1 g)	F	9	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (10-<50 g)	F	8	3

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (2-<5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (<2 g)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>1000 lbs.)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>5000 plants)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (50-1000 lbs.)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (51-5000 plants)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<50 lbs.)	F	7	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (21-<51 plants)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (1-<10 lbs.)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<21 plants)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<1 lb.)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<10 plants)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched I	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched II	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched III	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched IV	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched V	M	3	m
(a)(13)	Dispense drugs to dependent person (1st off)	M	4	m
(a)(13)	Dispense drugs to dependent person (2nd/subsq off)	M	4	m
(a)(14)*	Delivery by practitioner-heroin (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-heroin (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-heroin (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-heroin (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-heroin (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-heroin (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (>1000 g)	F	14	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (100-1000 g)	F	14	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (10-<50 g)	F	11	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (1-<10 g)	F	10	3
(a)(14)*	Delivery by practitioner-fentanyl and its derivatives and analogues (<1 g)	F	9	3
(a)(14)*	Delivery by practitioner-other narcotics Sched I & II (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 g)	F	8	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-cocaine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-cocaine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-cocaine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-cocaine (5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-cocaine (2-<5 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (<2 g)	F	5	2
(a)(14)*	Delivery by practitioner-methamphetamine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-methamphetamine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-methamphetamine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-methamphetamine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-methamphetamine (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-methamphetamine (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-PCP (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-PCP (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-PCP (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-PCP (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-PCP (2.5-< 10 g)	F	7	2
(a)(14)*	Delivery by practitioner-PCP (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-MDMA (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-MDMA (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-MDMA (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-MDMA (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-MDMA (2.5-< 10 g)	F	7	2
(a)(14)*	Delivery by practitioner-MDMA (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-marijuana (>1000 lbs.)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (>5000 plants)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (50-1000 lbs.)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (51-5000 plants)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (10-<50 lbs.)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (21-<51 plants)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (1-<10 lbs.)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (10-<21 plants)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (<1 lb.)	F	3	2
(a)(14)*	Delivery by practitioner-marijuana (<10 plants)	F	3	2
(a)(14)*	Delivery by practitioner-Sched I	F	5	2
(a)(14)*	Delivery by practitioner-Sched II	F	5	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-Sched III	F	5	2
(a)(14)*	Delivery by practitioner-Sched IV	F	5	2
(a)(14)*	Delivery by practitioner-Sched V	M	3	m
(a)(15)	Illegal retail sale-controlled substance (1st off)	M	4	m
(a)(15)	Illegal retail sale-controlled substance (2nd/subsq off)	M	4	m
(a)(16)	Simple possession (1st off)	M	3	m
(a)(16)	Simple possession (2nd/subsq off)	M	3	m
(a)(16)	Simple possession-GHB (1st off)	F	5	2
(a)(16)	Simple possession-GHB (2nd/sub off)	F	5	2
(a)(17)	Dispense drugs w/o label by practitioner (1st off)	M	4	m
(a)(17)	Dispense drugs w/o label by practitioner (2nd/subsq off)	M	4	m
(a)(18)	Illegal sale container (1st off)	M	4	m
(a)(18)	Illegal sale container (2nd/subsq off)	M	4	m
(a)(19)	Intentional unauthorized purchase (1st off)	M	5	m
(a)(19)	Intentional unauthorized purchase (2nd/subsq off)	M	5	m
(a)(20)	Divulging trade secret (1st off)	M	4	m
(a)(20)	Divulging trade secret (2nd/subsq off)	M	4	m
(a)(21)	Failure to keep records (1st off)	M	2	m
(a)(21)	Failure to keep records (2nd/subsq off)	M	2	m
(a)(22)	Refusal of inspection (1st off)	M	2	m
(a)(22)	Refusal of inspection (2nd/subsq off)	M	2	m
(a)(23)	Unauthorized removal of seals	M	5	m
(a)(24)	Failure to obtain license (1st off)	M	2	m
(a)(24)	Failure to obtain license (2nd/subsq off)	M	2	m
(a)(25)	Manufacture by unauthorized party	M	5	m
(a)(26)	Distribution by registrant of Schedule I or II	M	5	m
(a)(27)	Use of fictitious registration number	M	5	m
(a)(28)	Furnish false application material	M	5	m
(a)(29)	Production of counterfeit trademarks equipment	M	5	m
(a)(30)*	Possession with intent to deliver-heroin (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-heroin (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-heroin (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-heroin (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-heroin (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-heroin (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (>1000 g)	F	14	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (100-1000 g)	F	14	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (50-<100 g)	F	13	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (10-<50 g)	F	11	3
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (1-<10 g)	F	10	3

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-fentanyl and its derivatives and analogues (<1 g)	F	9	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-cocaine (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-cocaine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-cocaine (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-cocaine (5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-cocaine (2-<5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (<2 g)	F	5	2
(a)(30)*	Possession with intent to deliver-methamphetamine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-methamphetamine (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-methamphetamine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-methamphetamine (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-methamphetamine (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-methamphetamine (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-PCP (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-PCP (100-<1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-PCP (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-PCP (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-PCP (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-PCP (<2.5 g)	F	6	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-MDMA (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-MDMA (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-MDMA (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-MDMA (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-MDMA (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-MDMA (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-marijuana (>1000 lbs.)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (>5000 plants)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (50-1000 lbs.)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (51-5000 plants)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<50 lbs.)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (21-<51 plants)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (1-<10 lbs.)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<21 plants)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (<1 lb.)	F	3	2
(a)(30)*	Possession with intent to deliver-marijuana (<10 plants)	F	3	2
(a)(30)*	Possession with intent to deliver-Sched I (>=100 g)	F	7	2
(a)(30)*	Possession with intent to deliver-Sched I (<100 g)	F	5	2
(a)(30)*	Possession with intent to deliver-Sched II	F	5	2
(a)(30)*	Possession with intent to deliver-Sched III	F	5	2
(a)(30)*	Possession with intent to deliver-Sched IV	F	5	2
(a)(30)*	Possession with intent to deliver-Sched V	M	3	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish)	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): personal use	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): intent to distribute, not sell	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): distribution, not sale	M	1	m
(a)(32)	Possession-drug paraphernalia	M	1	m
(a)(33)	Possession w/ intent to deliver paraphernalia-under 18/ 3 yrs or more junior	M-2	4	m
(a)(33)	Possession w/ intent to deliver paraphernalia-not to a minor	M	3	m
(a)(34)	Place ad for sale of drug paraphernalia	M	1	m
(a)(34)	Place ad for sale of drug paraphernalia-GHB	F	5	2
(a)(35)(i)	Illegal sale of noncontrolled substance-intent to distribute	F	5	2
(a)(35)(ii)	Illegal sale of noncontrolled substance-represent as controlled substance	F	5	2
(a)(35)(iii)	Illegal sale of noncontrolled substance-distribute for redistribution	F	5	2

<i>35 P.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(36)	Possession w/ intent to deliver-designer drugs	F	5	2
(a)(37)	Possession >30 doses-anabolic steroid (1st off)	M	4	m
(a)(37)	Possession >30 doses-anabolic steroid (2nd/subsq off)	M	4	m
(a)(38)(II)	Unlawful manufacture-methamphetamine (BI of child <18)	F-2	9	2
(a)(38)(I)	Unlawful manufacture-methamphetamine (child <18 present)	F-3	7	1
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (1st off)	M	2	m
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (2nd/subsq off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (1st off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (2nd/subsq off)	M	2	m

*=subcategorized offenses. See § 303.3(b)

m=other misdemeanor offense. See § 303.7(a)(5)

<i>35 P.S. § 780-113.1</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)(i)	Possess liquefied ammonia-purpose other than agriculture/industrial	M	3	m
(a)(1)(ii)	Possess liquefied ammonia-unapproved container	M	3	m
(a)(2)	Possess liquefied ammonia-intent to manuf controlled substance	F	5	2
(a)(3)	Possess red phosphorous-intent to manuf controlled substance	F	5	2
(a)(4)	Possess esters/salts/etc. w/ intent to manuf controlled substance	F	5	2

<i>35 P.S. § 780-113.4</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)	Operate meth lab-create chemical reaction	F-2	7	2
(a)(3)	Operate meth lab-create chemical reaction (w/in 1000 ft. of school)	F-1	8	3
(b)(1)	Operate meth lab-stores/disposes substance used in manuf.	F-3	5	1

<i>35 P.S.</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6018.101— 6018.1002	Solid Waste Management Act			
	Knowingly transports, etc. hazardous waste without permit	F-1	9	1
	Transports, etc. hazardous waste without permit	F-2	7	2
	Violation of Act, DER Order, etc.	M-3	1	m

<i>35 P.S.</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
691.1— 691.1001	Clean Streams Law			
	Violation of Act, DER Order, etc.	M-3	1	m
4001— 4015	Air Pollution Control Act			
	Knowingly releases hazardous air pollutant	F-1	9	1
	Violation of Act, DER Order, etc.	M-2	2	m
	Negligently releases hazardous air pollution	M-3	1	m

m=other misdemeanor offense. See § 303.7(a)(5)

* * * * *

[Pa.B. Doc. No. 17-1724. Filed for public inspection October 20, 2017, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Venue Transfer of Civil/Landlord Tenant Filings and Outlier Cases for District Court 07-2-03; Administrative Order No. 87

Order of the Court

And Now, this 4th day of October, 2017, in accordance with Pennsylvania Rule of Judicial Administration No. 605(B)(6), it is hereby *Ordered* and *Directed* that all Civil/Landlord Tenant filings and Outlier cases filed prior to November 1, 2017 will be transferred to Magisterial District Court 07-2-08, 962 Town Center, New Britain, PA 18901.

The effective date of this action shall be December 15, 2017.

The previously listed assignment of venue is ordered to better serve the administration of justice in Bucks County and in particular District Courts 07-2-08/New Britain and 07-2-03/Perkasie.

By the Court

JEFFREY L. FINLEY,
President Judge

[Pa.B. Doc. No. 17-1725. Filed for public inspection October 20, 2017, 9:00 a.m.]

NORTHAMPTON COUNTY

Administrative Order Orphans' Court Rules; OC Admin Order No. 2017-002

Order of Court

And Now, this 2nd day of October 2017, it appearing that the committee appointed by the Court for the preparation of Orphans' Local Rules of Court has prepared and submitted the within Local Rules of Court, and it further appearing that the recommendation of the committee is appropriate and approved by the Supreme Court of Pennsylvania in accordance with Pa. O.C. Rule 1.5, it is therefore *Ordered* and *Decreed* that:

1. This Court adopted the Supreme Court Rules effective on September 1 2017, rescinding and replacing rules 1.1 through 13.3 and 17, and amending rules 14.1 through 16.12 of the Pennsylvania Orphans' Court Rules.

2. The within "Local Orphans Court Rules" are hereby approved, adopted and integrated with the Supreme Court Orphans' Court Rules, for the regulation of practice and procedure in this Court, and In accordance with Pa. O.C. Rule 1.5.

3. This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b) and shall be effective November 13, 2017 for all legal papers and pleadings filed as of that date.

By the Court

EMIL GIORDANO,
Judge

ORPHANS' COURT RULES

Rule N1.6.1. Mediation.

All interested parties in a matter may use mediation to resolve issues pending before the Court, and, upon either partial or complete resolution, may petition the Court to approve the agreement of all interested parties as an Order or Decree of the Court.

(a) all interested parties may engage the services of a mediator, either prior to or after any party in interest has filed a Pleading before the Court, including an Account filed by a fiduciary for audit.

(b) All interested parties in a matter docketed before the Court may request to engage in mediation at any time during the pendency of the matter.

(c) In such request for mediation, all interested parties shall identify:

(1) The proposed mediator and the proposed source of payment of fees and costs of the mediator;

(2) Names and contact information of all interested parties and any counsel who shall participate in the mediation;

(3) Names and information regarding any interested parties having diminished capacity or legal disability, whose interest must be adequately protected; and

(4) The scheduled date for the initial mediation conference.

(d) All interested parties shall execute an agreement for confidential mediation, which is not inconsistent with this local rule, and which shall remain confidential.

(e) Mediation shall not delay the required filing of any Pleading or ordered return dates, or the scheduling of Court Hearings, unless specifically requested by joinder of the interested parties and so ordered by the Court.

(f) The Court will respect the confidentiality of the mediation process and of the mediator's obligation of confidentiality.

(g) Upon completion of mediation, all interested parties shall sign a memorandum of principal terms, which either shall acknowledge that no resolution was reached, or shall embody the resolutions attained. This memorandum of principal terms shall clearly state partial resolutions or complete resolution attained. The memorandum of principal terms shall include a list of unresolved issues to be determined by the Court. Where appropriate, the principal terms could provide for future review in light of changed circumstances or change in the operative facts. The memorandum of principal terms agreed upon, or the statement of no resolution, shall be filed with the Court.

(h) In no event shall the terms agreed upon depart from or violate any provisions of applicable law, specifically including the Older Adults Protective Services Act, the Act of Dec. 18, 1996, P.L. 1125, No. 169 (35 P.S. §§ 10225.101—10225.5102) as may be amended.

(i) The interested parties may request that the Court approve the final mediated agreement, which embodies the principal terms agreed upon in the memorandum referenced above. The Court may grant approval in an Order or Decree. Alternatively, the Court may recommend any changes that the Court deems appropriate for approval. The parties to the mediation may accept the Court's recommendations, in which event the terms

agreed upon, as modified, shall be approved, or the parties may decline to accept the Court's recommendations, in which event the matter is deemed not to have resulted in an agreement.

Rule N2.5.1. Time for Calling of Accounts for Audit.

Accounts will be called for audit in open Court on such dates as shall be determined by the Court.

Rule N2.6.1. Time for Filing of Accounts for Audit.

Accounts which are to be called for audit on a particular audit date shall be filed not later than the closing date fixed for an audit date by the Court calendar.

Rule N5.10.1. Public Sale of Real Property, Additional Requirements.

(a) *Sale by Personal Representative.* A petition by a fiduciary to sell real property at public sale, in addition to the requirements of Pa. O.C. Rule 5.10 shall also set forth in separate paragraphs:

(1) the name, residence and date of death of the decedent; whether they died testate or intestate; and the date of the grant of letters;

(2) that the personal representative is not otherwise authorized to sell by the Act, or is not authorized or is denied the power to do so by the Will, or that it is desirable that the sale have the effect of a judicial sale, stating the reasons;

(3) whether an inventory and appraisal have been filed; the total value of the property shown therein and the value at which the real property to be sold was included therein;

(4) if the personal representative entered bond with the Register, the name of the surety and the amount of such bond;

(5) the names and relationships of all interested parties; a brief description of their respective interests; whether any of them are minors, incapacitated persons, or deceased and if so, the names and the record of the appointment of their fiduciaries, if any;

(6) a full description of the real property to be sold, the improvements thereon, by whom it is occupied, its rental value and the current valuation for local real estate tax purposes; and

(7) sufficient facts to enable the Court to determine that the sale is desirable for the proper administration and distribution of the estate.

(b) *Sale by Trustee.* A petition by a trustee to sell real property at public sale shall, in addition to the requirements of Pa. O.C. Rule 5.10, also set forth in separate paragraphs:

(1) how title was acquired, stating the date and place of probate of the Will or recording of the deed;

(2) a recital of the relevant provisions of the Will or deed pertaining to the real property to be sold, and the relevant history of the trust;

(3) the names and relationships of all interested parties, a brief description of their respective interest, whether any of them are minors, incapacitated persons or deceased, and if so, the names and record of the appointment of their fiduciaries, if any;

(4) a full description of the real property to be sold, the improvements thereon, by whom it is occupied, its rental value and the current valuation for local real estate tax purposes;

(5) that the trustee is not otherwise authorized to sell by the Act, or is denied the power by the trust instrument; or that it is advisable that the sale have the effect of a judicial sale, stating the reasons; and

(6) sufficient facts to enable the Court to determine that the proposed sale is for the best interest of the trust.

(c) *Sale by Guardian of Minor.* A petition by the guardian of a minor to sell real property at public sale shall, in addition to the requirements of Pa. O.C. Rule 5.10, also

(1) the age of the minor;

(2) the names of the minor's next of kin and the notice given them of the presentation of the petition;

(3) how title was acquired, stating the date and place of probate of the Will or recording of the deed;

(4) a recital of the provisions of the Will or deed relating to the real property to be sold;

(5) the nature and extent of the interest of the minor, of the guardian, and of other persons in the real property;

(6) a full description of the real property to be sold, the improvements thereon, by whom it is occupied, its rental value and current valuation for local real estate tax purposes; and

(7) sufficient facts to enable the Court to determine that the proposed sale will be for the best interest of the minor.

(d) *Sale by Guardian of an Incapacitated Person.* A petition by the guardian of an incapacitated person to sell real property at public sale shall, in addition to the requirements of Pa. O.C. Rule 5.10, also set forth in separate paragraphs;

(1) the date of adjudication of incompetency and of the appointment of the guardian;

(2) the place of domicile and the current place of residence of the incapacitated person;

(3) the date of filing of the inventory of the assets of the incapacitated person with a summary thereof;

(4) the vocation of the incapacitated person and his current earned income, if any;

(5) details concerning the persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate if the incapacitated person were to die at that time;

(6) a schedule of the names and addresses of the creditors of the incapacitated person and the amounts of their claims;

(7) description of the property and recital of record title, the improvements thereon, by whom it is occupied, its rental value and current valuation for local real estate tax purposes;

(8) such facts as will enable the Court to determine that the proposed sale is for the benefit of the incapacitated person; and

(9) joinder of or proof of notice to all interested parties.

Rule N5.10.2. Notice. Confirmation.

(a) *Notice.* After the allowance of a petition for public sale, notice of the public sale of real property shall be given concurrently as follows:

(1) by advertisement once a week for three (3) successive weeks in one or more newspapers of general circulation published at or near the situs of the real property; and

(2) by personal notice or registered or certified mail to all interested parties, of the time and place of the proposed sale, at least twenty (20) days prior thereto.

(b) *Confirmation*. If no objection is filed, the Court may enter a Decree approving or confirming the sale upon submission of a return of sale; which shall be in the form of an affidavit, which shall set forth:

(1) the notice given as provided by (1) above;

(2) the price obtained; and

(3) the name and address of the purchaser and an averment that they were the highest bidder.

Rule N5.11.1. Private Sale of Real Property, Exhibits.

The following exhibits shall be attached to a petition by a personal representative, trustee, or guardian to sell real estate at private sale;

(1) a copy of the Will, deed, or Decree by which the fiduciary was appointed;

(2) any consents or joinders of all interested parties, and the names and a copy of the notice which has been given to those parties who do not consent or join, such notice containing the date of the presentation of the petition to the Court;

(3) consent by any mortgagee whose lien would otherwise not be discharged by the sale or, if not attached, the reason therefor;

(4) a copy of the agreement of sale; and

(5) affidavits as to value by two real estate appraisers.

Rule N5.11.2. Security.

The Court, in the Decree approving or confirming the private sale, will fix the amount of bond or additional security which the personal representative, trustee or guardian shall be required to enter, or will excuse the fiduciary from entering bond or additional security.

Rule N7.1.1. Discovery.

(a) The practice relating to discovery shall be by special Order of the Court in each case.

(b) Leave of Court must be granted to obtain discovery of any kind or the perpetuation of testimony. Requests may be made by petition or oral motion, with proper notice or consent of all parties.

(c) A petition to perpetuate testimony shall include the averments required by Pa.R.C.P 1532.

Rule N7.1.2. Pre-Hearing Conference.

(a) In any proceeding before the Court, the Court may direct the parties and counsel to appear for a pre-hearing conference.

(b) At least five (5) business days prior to the date of the pre-hearing conference, each party shall file with the Clerk and serve upon each other party a written pre-hearing statement which shall contain:

(1) a listing of the legal and factual issues and relief requested;

(2) the names and addresses of all witnesses to be called during the hearing and a statement as to whether each witness is a fact witness or an expert witness;

(3) an identification of all exhibits to be used at any hearing;

(4) any list of proposed stipulations or agreements;

(5) any proposed amendments to Pleadings;

(6) such other matters as may aid the Court in the disposition of this action;

(7) an identification of hearing counsel, along with counsel's name, address, email address, telephone number and facsimile number;

(8) an estimate of the length of the hearing; and

(9) a statement as to the status of settlement negotiations.

Rule N9.1.1. Manner of Notice and to Whom Given of Appointment of Master or Auditor.

(a) The Order of Appointment shall specify the matters which are referred to the Master or Auditor.

(b) An Auditor or Master shall give at least twenty (20) days written notice of their appointment and of the time and place of the first hearing to all parties of record or their attorneys of record by ordinary mail to each person's address of record.

(c) The Court may direct the notice of appointment and of the time and place of the first hearing be given to other persons in such manner as the Court may direct.

Rule N9.6.1. Notice of Intention to File.

An Auditor or Master shall give twenty (20) days' notice to all parties of record or their attorneys of record of the Auditor's or Master's intention to file the report on a date certain. The Auditor or Master shall include a copy of the report with the notice.

Rule N9.7.1. Manner of Confirmation and Approval of Reports.

(a) Objections to or a request for reconsideration of the report must be filed with the Master or Auditor within twenty (20) days of the date of the Notice of Intention to File in Pa. O.C. Rule N9.6.1. A copy of the objections must be served on all parties of record or their attorneys of record.

(b) Objections must be in writing. Each objection must be listed separately and precisely identify the basis of objection.

(c) If objections are filed with the Master or Auditor during the fifteen (15) day notice period, it shall then be the duty of the Master or Auditor to re-examine their report in light of the objections filed. Within thirty (30) days of the filing of the objections, the Master or Auditor will supplement their report by a full consideration of the objections seriatim setting forth concisely in their supplemental report the reasons for sustaining or dismissing each objection.

(d) The person filing objections to the report shall file a Praeceptum for argument in accordance with Northampton County Court Rule of Civil Procedure No. N211.

(e) If no objections are filed to the report, the report shall be filed with the Court and forwarded to the Judge appointing the Master or Auditor for examination and the entry of an appropriate Decree.

[Pa.B. Doc. No. 17-1726. Filed for public inspection October 20, 2017, 9:00 a.m.]

WESTMORELAND COUNTY
Public Access Local Rule; No. 3 of 2017

Amended Administrative Order of Court

And Now, this 2nd day of October, 2017, *It Is Hereby Ordered* that the Order of Court dated September 28, 2017 is hereby amended to reflect that the rule is numbered WJ511, not WJ510. The rule shall become effective January 6, 2018.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

Rule WJ511. Filing Documents to Conform to Public Access Policy.

Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Public Access Policy shall use and file the Confidential Information Form in order to comply with the Policy. The form shall be available in each filing office as well as on the Court Administration website, at <http://www.co.westmoreland.pa.us/2295/Local-Rules-of-Court>.

Adopted 9-14-17

Effective 1-6-18

[Pa.B. Doc. No. 17-1727. Filed for public inspection October 20, 2017, 9:00 a.m.]

YORK COUNTY
Adoption of Local Rule of Judicial Administration
510; CP-67-AD-0000039-2017; 2017-MI-000261;
6717-0100

Administrative Order Adopting York County
Local Rule of Judicial Administration 510

And Now, this 4th day of October, 2017, it is *Ordered* that York County Local Rule of Judicial Administration 510 is adopted, effective January 6, 2018.

The District Court Administrator shall publish this order as may be required.

By the Court

JOSEPH C. ADAMS,
President Judge

Rule 510. Confidential Information Form.

Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form (CIF) or a Confidential Document Form (CDF), as applicable, in order to comply with the Policy. Parties are expressly prohibited from filing two versions of any document, i.e., a redacted version and an unredacted version. The forms shall be available in each filing office as well as on the Public Records page of the UJS website at <http://www.pacourts.us/public-record-policies>.

[Pa.B. Doc. No. 17-1728. Filed for public inspection October 20, 2017, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 218 AND 240]

Radiological Health and Radon Certification Fees; Pennsylvania Radon Mitigation System Fee

The Environmental Quality Board (Board) amends Chapters 218 and 240 (relating to fees; and radon certification) to read as set forth in Annex A. The amendments to Chapter 218 will increase the annual fees for radioactive material licenses, with one exception, and increase the hourly rate professional fee associated with certain full cost recovery licenses. The amendments to Chapter 240 will increase the application fees for certification of radon services and add a new requirement and fee for active mitigation systems installed or passive mitigation systems converted to active mitigation systems in this Commonwealth.

This order was adopted by the Board at its meeting of June 20, 2017.

A. *Effective Date*

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

B. *Contact Persons*

For further information, contact Joseph Melnic, Chief, Division of Radiation Control, P.O. Box 8469, Rachel Carson State Office Building, Harrisburg, PA 17105-8469, (717) 783-9730; or Keith Salador, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 783-8075. This final-form rulemaking is available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)").

C. *Statutory Authority*

This final-form rulemaking is adopted under the authority of section 301, 302 and 401 of the Radiation Protection Act (RPA) (35 P.S. §§ 7110.301, 7110.302 and 7110.401), which directs the establishment of fees in amounts at least sufficient to cover the costs of the radiation protection programs mandated by the RPA and review of those fees every 3 years; section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which directs the Board to formulate, adopt and promulgate rules and regulations as may be determined by the Board for the proper performance of the work of the Department; and sections 8, 12 and 13 of the Radon Certification Act (RCA) (63 P.S. §§ 2008, 2012 and 2013), which direct the Department to establish fees in amounts sufficient to cover the costs of the certification programs established by the RCA.

D. *Background and Purpose*

On August 19, 2014, the Department presented its Three-Year Regulatory Fee and Program Cost Analysis Report (Report) to the Board. The Report indicated that, despite substantial increases in personnel and program costs, the Chapter 218 fees, which support the licensing and inspection of radioactive materials, and the Chapter 240 fees, which support radon testing and mitigation

certification, have not been amended since 2009. As a result, the Radiation Protection Fund is decreasing annually in operating reserves. Without a fee increase, the Department would be required to curtail spending for needed equipment, infrastructure upgrades, training and hiring of qualified personnel. This final-form rulemaking addresses these problems by increasing the fees in Chapters 218 and 240 to meet RPA and RCA requirements to adequately fund the licensing and inspection of radioactive materials and the certification of individuals who perform radon-related activities.

In March 2008, Governor Rendell signed an agreement with the Chairperson of the United States Nuclear Regulatory Commission (NRC) for the Commonwealth to oversee and regulate licensure of radioactive materials for entities in this Commonwealth. These duties are funded through the Chapter 218 license fees and include registration and inspection of X-ray facilities, licensing and inspection of accelerators, registration of radiation-producing machine service providers, and licensing and inspection of radioactive material users. As part of the agreement with the NRC, the Commonwealth implements a radiation protection program comparable to the NRC's program and ensures that Commonwealth regulations are compatible with NRC regulations.

The amendments to the Chapter 218 fees for radioactive material licenses are necessary to assure adequate funding is available for the Commonwealth to carry out its duties under the agreement with the NRC. Approximately 850 licenses have been issued for radioactive material users that have associated annual fees. The professional hourly rate fee that supports required full cost recovery for unique services that cannot be standardized is an important component to the Chapter 218 fees. Examples of the professional hourly rate fee include the evaluation, inspection and licensing of high-energy accelerators and decommissioning activities at contaminated sites. If the Commonwealth were forced to cede its authority to regulate radioactive materials back to the NRC, the regulated community would experience higher costs per the NRC's fees in its regulations, which are approximately 50% higher than the Department's former fees. Further, the NRC's fees typically increase by 6–8% annually. The NRC's current fees are approximately 24% higher than the fees in this final-form rulemaking.

The Chapter 240 fees collected biennially are used by the Department to ensure that contractors and firms performing radon testing and remedial work are qualified to perform those services. The Chapter 240 fees are also used to perform outreach and to provide public service announcements to encourage homeowners to test for and mitigate radon contamination. The Chapter 240 fee revenue did not fully cover the Department's Radon Program costs. Without this fee increase, it would be difficult to provide effective quality assurance for the Statewide radon program, data reporting and quality of radon mitigation. Approximately 720 certified radon service providers are subject to the certification fees.

The final-form amendments to the radiological health regulations in Chapters 218 and 240 were reviewed by the Department's Radiation Protection Advisory Committee (RPAC). RPAC represents various stakeholders, including radioactive materials licensees and radon service providers, as well as the general public. The Department

presented the final-form rulemaking to RPAC on November 17, 2016. RPAC endorsed moving forward with the final-form rulemaking.

E. Summary of Changes to the Proposed Rulemaking

Chapter 218, Appendix A. Fees for radioactive material licenses

Amendments have not been made to the fees in this final-form rulemaking. "Specific License" is deleted from fee category 7C based on feedback from RPAC. RPAC noted that general licenses are not covered by this category and therefore the inclusion of "specific license" is not necessary.

§ 240.303. Reporting of information

Proposed § 240.303(a)(7) (relating to reporting of information) included the serial number of the Pennsylvania Radon Mitigation System Tag as a reporting requirement. This proposed paragraph is not adopted due to the removal of the proposed requirement of a Pennsylvania Radon Mitigation System Tag to be placed on a newly installed or converted radon mitigation system in this Commonwealth.

§ 240.309. Radon mitigation system fee

Proposed § 240.309 (relating to radon mitigation system fee) contained the requirements for Pennsylvania Radon Mitigation System Tags to implement the new \$50 radon mitigation system fee. The Board received several comments that raised concern over the logistical and administrative burdens that the tags would place on the Department and the regulated community. This section has been revised in this final-form rulemaking to remove the use of a mitigation tag for payment of the \$50 fee. This final-form rulemaking requires payment of the fee to the Department using a form created for this purpose. The Department must receive the fee and the form within 10 business days of the end of the quarter in which an active mitigation system is installed or a passive mitigation system is converted to an active system. This revision to this final-form rulemaking reduces the logistical and administrative burdens that would have been posed by requiring a mitigation tag while retaining the \$50 mitigation system fee needed to adequately fund the radon certification program.

Chapter 240, Appendix A. Radon certification fee schedule

Amendments have not been made to the fees in this final-form rulemaking. The radon mitigation fee no longer includes the mitigation tag and has been revised consistent with the change to § 240.309.

F. Summary of Comments and Responses on the Proposed Rulemaking

The proposed rulemaking was approved by the Board on April 19, 2016, and published at 46 Pa.B. 3509 (July 2, 2016). Public comments on the proposed rulemaking were accepted through August 30, 2016. No public meetings or hearings were held. The Board received comments from 40 commentators during the public comment period and the Independent Regulatory Review Commission (IRRC). These comments were considered and are addressed in a separate comment and response document.

Most commentators were opposed to the Chapter 240 radon fee increase. A few commentators raised concerns about the effect of the fee increases for Chapter 218 radioactive material licenses on competition within the industry and on small businesses. While the Chapter 218 fees are increasing, most fee categories are significantly lower than the corresponding NRC fees. In addition, fee

categories SB1 and SB2 are available for small businesses to obtain a radioactive materials license at a reduced cost. Lastly, section 401 of the RPA requires license fees to be established "in an amount at least sufficient to cover the department's costs of administering the programs."

Regarding the Chapter 240 fees, commentators raised concerns over the fee increase and new radon mitigation fee's impact on real estate transactions and on the regulated community itself. Section 8 of the RCA requires the establishment of "a fee schedule to cover the costs of the certification programs." Additionally, the cost of testing for radon and installing a mitigation system, if needed, is a small percentage of the overall costs of real estate transactions and should not be an impediment to homeownership. Radon testing and radon mitigation systems provide significant benefits to the health and safety of homeowners. By testing for radon, a serious health concern can be identified. The United States Environmental Protection Agency and other National and international health and radiation safety organizations have declared radon to be the second leading cause of lung cancer after smoking, and the leading cause of lung cancer in nonsmokers. Residents in this Commonwealth are at risk because the radon levels in this Commonwealth are much higher than most other parts of the United States. If a mitigation system is needed and installed, the health concern can be mitigated. This benefit to the purchaser and any future occupants of the home outweighs the cost of the increased fee.

Several commentators were concerned about the logistics and benefit of the new radon mitigation tag. The requirement for a radon mitigation system tag has been deleted and this final-form rulemaking requires the certified mitigator to pay the \$50 fee when each active mitigation system is installed or when each passive mitigation system is converted to an active mitigation system. Payments shall be made within 10 business days of the end of the quarter in which the installation or conversion was performed.

Several commentators and IRRC were concerned that the increase in costs associated with testing for and mitigating radon exposure would discourage the public from seeking those services. The Department did not experience a decrease in the amount of reported mitigation installations and tests after the last radon certification fee increase in 2009. This fee increase is not expected to discourage testing and mitigation and will continue to be monitored.

Several commentators and IRRC asked what the Department has done to reduce costs and improve efficiency of the program. Based on the Department's fee analysis, personnel costs (salaries and benefits) are the largest cost item and have increased approximately 45% since 2009. The Department is continually analyzing its administrative processes, equipment and technology to identify areas to improve efficiency, but the current staffing levels are necessary for the Department to carry out its obligations under the RPA and RCA. It is important to note that the NRC performs routine audits to ensure the Department is maintaining adequate staffing levels to perform the required radioactive materials licensing actions and facility inspections. To date, this has not been a concern to the NRC. However, training new employees in this highly technical work can take up to 2 years. Therefore, it is prudent to add new staff before too many current staff retire, which is foreseeable due to the demographics of the Bureau. Though not subject to audit, the radon program is required to certify over 700 radon testers,

mitigators and laboratories. Efficiencies have recently been gained using new online radon data reporting, allowing a respective reduction in clerical staff, but the certification aspect still requires several trained and experienced radiological health physics staff.

IRRC noted that the fee report shows that proposed increased fees were expected to begin in 2016-2017, but that the anticipated effective date for this final-form rulemaking is the second quarter of 2017. Given this

discrepancy, IRRC asked the Board to provide updated information in this preamble regarding projected program costs and revenue. The following tables show projected program costs and revenue for the Radioactive Materials Licensing Program and the Radon Program. This increase in fees along with existing program funds will provide sufficient revenue through Fiscal Year (FY) 2020-2021 for radioactive materials licensing and FY 2019-2020 for the radon program.

Radioactive Materials Licensing Program

	<i>FY</i> <i>2012-</i> <i>2013</i>	<i>FY</i> <i>2013-</i> <i>2014</i>	<i>FY</i> <i>2014-</i> <i>2015</i>	<i>FY</i> <i>2015-</i> <i>2016</i>	<i>FY</i> <i>2016-</i> <i>2017</i>	<i>FY</i> <i>2017-</i> <i>2018</i>	<i>FY</i> <i>2018-</i> <i>2019</i>	<i>FY</i> <i>2019-</i> <i>2020</i>	<i>FY</i> <i>2020-</i> <i>2021</i>	<i>FY</i> <i>2021-</i> <i>2022</i>
Fee collection*	\$3,343	\$3,538	\$3,364	\$3,097	\$3,400	—	—	—	—	—
Fee collection with 50% increase beginning in 2017-2018*	—	—	—	—	—	\$5,100	\$5,100	\$5,100	\$5,100	\$5,100
Fines and penalties*	\$71	\$215	\$143	\$145	\$125	\$125	\$125	\$125	\$125	\$125
Total revenue*	\$3,414	\$3,753	\$3,507	\$3,242	\$3,550	\$5,250	\$5,250	\$5,250	\$5,250	\$5,250
Program costs*	\$4,121	\$4,329	\$4,260	\$4,306	\$5,042	\$5,193	\$5,349	\$5,510	\$5,675	\$5,845

*In thousands of dollars

Radon Program

	<i>FY</i> <i>2012-</i> <i>2013</i>	<i>FY</i> <i>2013-</i> <i>2014</i>	<i>FY</i> <i>2014-</i> <i>2015</i>	<i>FY</i> <i>2015-</i> <i>2016</i>	<i>FY</i> <i>2016-</i> <i>2017</i>	<i>FY</i> <i>2017-</i> <i>2018</i>	<i>FY</i> <i>2018-</i> <i>2019</i>	<i>FY</i> <i>2019-</i> <i>2020</i>	<i>FY</i> <i>2020-</i> <i>2021</i>	<i>FY</i> <i>2021-</i> <i>2022</i>
Fee collection*	\$172	\$164	\$170	\$181	\$182	—	—	—	—	—
Fee collection with 50% increase beginning in 2017-2018*	—	—	—	—	—	\$273	\$273	\$273	\$273	\$273
Installation fee**	—	—	—	—	—	\$400	\$400	\$400	\$400	\$400
Fines and penalties*	\$85	\$28	\$59	\$60	\$50	\$50	\$50	\$50	\$50	\$50
SIRG***	\$482	\$482	\$428	\$428	\$429	\$429	\$429	\$429	\$429	\$429
Total revenue*	\$739	\$674	\$657	\$669	\$661	\$1,152	\$1,152	\$1,152	\$1,152	\$1,152
Program costs*	\$1,527	\$1,751	\$1,640	\$1,582	\$1,312	\$1,351	\$1,392	\$1,434	\$1,477	\$1,521

*In thousands of dollars

**\$50 fee for each mitigation installation; approximately 8,000 installations per year

***State Indoor Radon Grant

G. Benefits, Costs and Compliance

Benefits

The Chapter 218 fees for radioactive material licenses are necessary to ensure that adequate funding is available for the Commonwealth to carry out its duties under its agreement with the NRC and the RPA. If the Commonwealth were forced to cede its authority to regulate radioactive materials back to the NRC, the regulated community would be subject to higher NRC fees. Radioactive material controls under the agreement with the NRC guard against the potential for unnecessary public radiation exposure from the use of radioactive material. With regard to Chapter 240, the Radon Program ensures that homeowners receive services from qualified individuals when testing for and mitigating the presence of radon, the largest controllable source of unnecessary radiation exposure in this Commonwealth. The Chapter 240 fee

increases and the new radon mitigation system fee further will allow the Department to maintain adequate funding to carry out its duties under the RCA.

Compliance costs

This final-form rulemaking calls for increases in fees of approximately 50% for most existing radioactive material licensees and certified radon service providers. Other than the increase in fees, there are not additional costs associated with the radioactive materials license categories under Chapter 218 for maintaining compliance with this final-form rulemaking and provisions for reduced materials fees for small businesses remain.

With respect to Chapter 240, an additional \$50 for each radon mitigation performed will be charged as a result of the new radon mitigation system fee. Approximately 8,000 to 10,000 new radon mitigation system installations or conversions occur in this Commonwealth each year and

approximately 132 certified mitigators would be required to submit the \$50 fee to the Department. A typical mitigation system costs between \$800 and \$1,200.

Compliance assistance plan

The Department will notify the regulated community of the higher fees through this final-form rulemaking, by informing the RPAC and by issuing an Information Notice to relevant licensees.

Paperwork requirements

This final-form rulemaking does not require additional recordkeeping or reporting requirements as a result of the Chapter 218 fee increases. The amendments to Chapter 240 require certified individuals who install active radon mitigation systems or convert passive radon mitigation systems to active radon mitigation systems to submit a Department-approved form along with the appropriate fee on a quarterly basis.

H. Pollution Prevention

The Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials or the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

This final-form rulemaking is designed to support the safe and effective use of licensed radioactive materials and promote proper radon testing and mitigation procedures to protect the health and safety of residents in this Commonwealth. The increased fees will ensure the Department maintains its ability to implement radiological pollution prevention.

I. Sunset Review

The Board is not establishing a sunset date for these regulations because they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

J. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 16, 2016, the Department submitted a copy of the notice of proposed rulemaking, published at 46 Pa.B. 3509, to IRRC and the Chairpersons of the House and Senate Environmental Resources and Energy Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, the Department shall submit to IRRC and the House and Senate Committees copies of 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 and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 23, 2017, 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 August 24, 2017, and approved the final-form rulemaking.

K. Findings

The Board finds that:

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

(2) A public comment period was provided as required by law and all comments were considered.

(3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 46 Pa.B. 3509.

(4) These regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this final-form rulemaking.

L. Order

The Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 25 Pa. Code Chapters 218 and 240, are amended by adding § 240.309 and amending Chapter 218, Appendix A, § 240.3 and Chapter 240, Appendix A to read as set forth in Annex A.

(Editor's Note: The amendment to § 240.303 in the proposed rulemaking has been withdrawn by the Board.)

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

(c) The Chairperson of the Board shall submit this order and Annex A to IRRC and the Senate and House Environmental Resources and Energy Committees as required by the Regulatory Review Act (71 P.S. §§ 745.1—745.14).

(d) The Chairperson of the Board shall certify this order and Annex A as approved to legality and form and deposit them with the Legislative Reference Bureau, as required by law.

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

PATRICK McDONNELL,
Chairperson

(Editor's Note: See 47 Pa.B. 5761 (September 9, 2017) for IRRC's approval order.)

Fiscal Note: Fiscal Note 7-498 remains valid for the final adoption of the subject regulations.

Annex A
TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
Subpart D. ENVIRONMENTAL HEALTH AND SAFETY
ARTICLE V. RADIOLOGICAL HEALTH
CHAPTER 218. FEES
APPENDIX A

Fees for Radioactive Material Licenses

<i>Fee Category^{5,6}</i>	<i>Description</i>	<i>Annual Fee (\$)^{1,2,3,4,7}</i>
1C	Special Nuclear Material Sealed Source Gauges (X-Ray Fluorescence)	3,150
1D	Special Nuclear Material—Other	8,700
2A(2)(c)	Source Material—Metal Extraction	45,100
2A5	Removal of Radioactive Contaminants from Drinking Water	16,800
2B	Source Material as Shielding	1,125
2C	Source Material—Other (not 11e2)	20,100
3A	Manufacturing & Distribution Commercial Broad Scope—10 CFR 30, 33	43,650
3B	Manufacturing, Refurbishing & Distribution Commercial Specific License—10 CFR 30	12,450
3C	Manufacturing & Distribution Pharmaceuticals—10 CFR 32.72—32.74	17,850
3D	Pharmaceuticals—Distribution Only—10 CFR 32.7x	10,200
3E	Irradiator—Shielded Source	6,300
3F	Irradiator—Unshielded < 10kCi	11,700
3G	Irradiator—Unshielded >= 10kCi	46,800
3I	Distribution As Exempt—No Review of Device	16,050
3J	Distribution—SSD Devices to Part 31 GLs	3,750
3K	Distribution—No Review-Exempt Sealed Source	2,850
3L	Research & Development Broad Scope	22,650
3M	Research & Development	8,400
3N	Services other than Leak Testing, Waste Disposal or Calibration	12,750
3O	Radiography	21,150
3P	Other Byproduct Material	4,050
3Q	Generally licensed devices under § 217.143 (relating to certain measuring, gauging or controlling devices)	480
3R1	Greater than the General License Limits in 10 CFR 31.12(a)(3), (4) or (5) but not more than ten times those Limits	3,150
3R2	Greater than ten times the General License Limits in 10 CFR 31.12(a)(3), (4) or (5)	4,050
3S	Manufacturing & Distribution Pharmaceuticals—Accelerator Produced Only	17,700
4A	Waste Storage, Processing or Disposal	Full Cost *
4B	Waste Packaging or Repackaging	18,000
4C	Waste Receipt of Prepackaged for Disposal	13,800
5A	Well Logging & Non Field Flood Tracers	6,600
5B	Well Logging Field Flood Tracer Studies	Full Cost *
6A	Nuclear Laundry	43,200
7A	Human Use—Teletherapy	20,550
7B	Human Use—Broad Scope (except Teletherapy)	36,250
7C	Human Use (except Teletherapy)	7,350
8A	Specifically licensed sources used in static eliminators, nonexempt smoke detectors, fixed gauges, dew pointers, calibration sources, civil defense uses or in temporary (2 years or less) storage	3,150
14	Decontamination, Decommissioning, Reclamation or Site Restoration	Full Cost *

<i>Fee Category^{5,6}</i>	<i>Description</i>	<i>Annual Fee (\$)^{1,2,3,4,7}</i>
16	Reciprocity (180 days/year)	2,250
SB1 ⁵	Small Business—Category 1	3,450
SB2 ⁶	Small Business—Category 2	750

¹ A license may include as many as four noncontiguous sites at the base fee. Sites that are within 5 miles of the main radiation safety office where the license records are kept will be considered contiguous. An additional fee of 25% of the base fee will be added for each noncontiguous site above four.

² All fees will be effective upon publication of the final rules in the *Pennsylvania Bulletin*. Existing NARM licenses will be changed to the corresponding category of byproduct material license in Appendix A upon publication of the final rule.

³ Annual fees for categories of NRC licenses that are not included in this table will be calculated as follows: PA Fee = (NRC Annual Fee + 0.10 NRC Application or Renewal fee).

⁴ Annual fees charged to holders of transferred NRC licenses with multiple sites will not exceed the fees charged by the NRC for the same licenses that are in effect in the year of transfer, provided the number of noncontiguous sites does not increase.

⁵ Small Businesses Not Engaged in Manufacturing, and Small Not-For-Profit Organizations with Gross Annual Receipts of more than \$350,000 and less than \$5 million; Manufacturing Entities that have an average of 35–500 employees with Gross Annual Receipts of more than \$350,000 and less than \$5 million; Small Government Jurisdictions (including publicly supported, nonmedical educational institutions) with a population between 20,000 and 50,000; and nonmedical Educational Institutions that are not state or publicly supported and have 35–500 employees.

⁶ Small Businesses Not Engaged in Manufacturing, and Small Not-For-Profit Organizations with Gross Annual Receipts of less than \$350,000; Manufacturing Entities that have an average of less than 35 employees and less than \$350,000 in Gross Annual Receipts; Small Government Jurisdictions (including publicly supported nonmedical educational institutions) with a population less than 20,000; and nonmedical Educational Institutions that are not state or publicly supported and have less than 35 employees.

⁷ Full cost recovery licensees and licensees required to provide financial assurance for decommissioning are not eligible for reduced fees under category SB1 or SB2.

* Full cost recovery consists of a professional fee, to cover the activities and support of Department personnel, and any other additional incidental charges incurred, such as related contracted services or laboratory costs. The professional fee component (Hourly Rate) is \$225 per hour. Other costs are recovered at 100% of actual cost. Invoices shall be issued by the Department at regular intervals but at least quarterly when net costs are incurred.

CHAPTER 240. RADON CERTIFICATION

Subchapter A. GENERAL PROVISIONS

GENERAL

§ 240.3. Definitions.

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

Act—The Radon Certification Act (63 P.S. §§ 2001–2014).

Active radon mitigation system—A radon mitigation system with an electric vent fan.

Acts—The Radon Certification Act and the Radiation Protection Act (35 P.S. §§ 7110.101–7110.703).

Firm—A person, other than an individual.

Laboratory analysis—The act of determining radon concentrations in air, water, soil or passive radon testing devices.

Mitigate—To repair or alter a building or building design for the purpose in whole or in part of reducing the concentration of radon in the indoor atmosphere.

Passive radon mitigation system—A radon mitigation system without an electric vent fan.

Person—An individual, corporation, partnership, association, trust, estate, public or private institution, group, agency or political subdivision of this Commonwealth, another state or political subdivision or agency thereof,

and a legal successor, representative, agency or agency of the entities listed in this definition.

Picocurie per liter—2.2 disintegrations per minute of radioactive material per liter of air.

Primary device—Continuous monitors or electrets, or both, read or analyzed, or both, by a primary tester.

Primary tester—A tester who reads or analyzes, or both, the continuous monitors or electrets, or both, that the tester places or retrieves, or both.

Radon—The radioactive noble gas radon-222 and the short-lived radionuclides which are products of radon-222 decay, including polonium-218, lead-214, bismuth-214 and polonium-214.

Test—The act of examining a building, soil, air or water for the presence of radon, including taking air, soil or water samples, or the act of diagnosing the cause of radon contamination in a building.

WL—Working level—One working level is that amount of potential alpha-particle energy dissipated in air by the short-lived daughters in equilibrium with 100 pCi/l of Radon-222. One WL is equal to 130,000 Mev of alpha-particle energy deposited per liter of air.

Subchapter D. OPERATION REQUIREMENTS

§ 240.309. Radon mitigation system fee.

(a) The radon mitigation system fee in Appendix A with a Department-approved radon mitigation system fee form shall be submitted to the Department by:

(1) A person who installs or is in responsible charge of employees who install an active radon mitigation system in this Commonwealth.

(2) A person who converts or is in responsible charge of employees who convert a passive radon mitigation system to an active radon mitigation system in this Commonwealth.

(b) The fee for each radon mitigation system installed or activated must be received by the Department no later than 10 business days after the end of the quarter in which the installation or activation was performed.

APPENDIX A

Radon Certification Fee Schedule

Testing Individual	\$525 every 2 years
Testing Employee	\$150 every 2 years
Testing Firm	\$1,050 every 2 years
Mitigation Individual	\$450 every 2 years
Mitigation Firm	\$1,050 every 2 years
Laboratory Individual	\$600 every 2 years
Laboratory Firm	\$1,125 every 2 years
Primary Testing Device Listing	\$150 every 2 years (1)
Course Provider	\$565 every 2 years (2)
Late Application Renewal	\$150
Late 45-Day Reporting	\$150 (3)
Radon Mitigation System Fee	\$50 for each radon mitigation system installed or activated (4)

The Department will review the adequacy of the fees established in this schedule at least once every 3 years

and provide a written report to the EQB. The report must identify any disparity between the amount of program income generated by the fees and the costs to administer these programs, and must contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

(1) Primary radon testers shall submit the Primary Testing Device Fee as specified in the Radon Certification Fee Schedule for each device they read or analyze, or both.

(2) A person approved by the Department to provide initial or continuing, or both, education courses shall submit the Course Provider Fee as specified in this appendix.

(3) Anyone not submitting the required 45-day testing or mitigation, or both, reporting within 90 days of the completion of the testing or mitigation, or both, activity (or if no activities have been performed during this period of informing the Department of same in writing) will be subject to the Late 45-Day Reporting Fee as specified in this appendix.

(4) The Department will waive the radon mitigation system fee for a local government employee or school employee who installs an active radon mitigation system in a school or local government building or activates a passive radon mitigation system in a school or local government building if the employee installs or activates the system pursuant to the employee's official duties and the employee is not compensated for this service except through the employee's salary.

[Pa.B. Doc. No. 17-1729. Filed for public inspection October 20, 2017, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 104]

Vegetable Marketing and Research Program

The Department of Agriculture (Department) proposes to amend Chapter 104, Subchapter D (relating to Vegetable Marketing and Research Program) to read as set forth in Annex A.

Authority

This proposed rulemaking is authorized under 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act) (act). Section 4511 of the act (relating to rules and regulations for enforcement) authorizes the Secretary of Agriculture (Secretary) to promulgate regulations and establish penalties as necessary to enforce the provisions of an agricultural commodity marketing program established under the act, including the Pennsylvania Vegetable Marketing and Research Program (Program).

Need for this Proposed Rulemaking

The Program exists and operates under a Program Order published at 44 Pa.B. 6565 (October 11, 2014) that was issued by the Secretary following a referendum conducted by the Department among affected Pennsylvania vegetable growers. In that referendum, a majority of those growers, representing a majority of vegetable production, voted to establish the Program in accordance with the Program Order. The Program is the subject of a review referendum among these vegetable growers at intervals of no more than 5 years.

The Program focuses on vegetable producers (affected producers) in this Commonwealth who in a given calendar year grow and market: 1) 1 acre or more of vegetables; 2) 1,000 square feet or more of greenhouse vegetables; or 3) \$2,000 or more worth of vegetables. The Program requires that these producers pay a production-based assessment (producer charges) to support the vegetable marketing and vegetable research efforts of the Program. This collective effort allows the vegetable production industry in this Commonwealth, which is primarily comprised of small farms, to fund marketing and research projects that these small farms would not individually be able to fund, and that are of broad benefit to the vegetable production industry in this Commonwealth.

The Department administers the Program. The Department estimates that over half of affected producers who are required to pay producer charges to help support the Program do not. There are about 1,600 affected producers supporting the Program while there are about 1,700 who are either unaware of the Program or who have been able to avoid paying their fair share to support the marketing and research efforts of the Program. Against this backdrop, this proposed rulemaking is needed to: 1) relieve certain vegetable sales agents of the obligation to verify that affected producers with which they transact business have paid their producer charges to the Program or to collect those charges on behalf of the Program; 2) create a simple process by which vegetable sales agents can respond to requests from the Department for information to help identify these affected producers and their veg-

etable production; 3) establish a \$25 civil penalty with respect to affected producers who do not account for and pay their producer charges to the Program by January 31 each year; and 4) accomplish a general “housekeeping” update to reflect the experience the Department has gained in administering the Program and Chapter 104, Subchapter D over the years.

The Department is satisfied there is a need for this proposed rulemaking and that it is otherwise consistent with Executive Order 1996-1, “Regulatory Review and Promulgation.”

Summary of this Proposed Rulemaking

Proposed amendments to § 104.52 (relating to definitions) delete the definition of “collecting sales agent” since this proposed rulemaking no longer requires sales agents to collect producer charges on the Program’s behalf. The definition of “growing season” is proposed to be deleted and replaced with “marketing season,” a term used in the Program Order. The definition of “producer” is proposed to be amended to align it with the Program Order’s definition of this term. This proposed rulemaking adds a definition of “vegetable production unit,” a term used in proposed amendments to § 104.53 (relating to producer charges), which is the basic unit upon which producer charges would be calculated.

Proposed amendments to § 104.53 clarify how producer charges owed to the Program are to be calculated and introduce the new term “vegetable production unit.” Proposed amendments also present the option for an affected producer to pay producer charges equaling the lesser of: 1) \$25 plus \$1.50-per-vegetable-production-unit exceeding five vegetable production units; or 2) 1.25% of gross sales of vegetables during the marketing season, but no less than \$25. This second option was established in the Program Order published at 44 Pa.B. 6563 (October 11, 2014), but had not been codified in this section.

Proposed amendments to §§ 104.54 and 104.55 (relating to accounting, payment and verification procedures; and responsibilities of the producer) simplify and streamline the process by which affected producers are required to account for their vegetable production and pay the appropriate producer charge to the Program. These producers would complete a simple assessment statement form, calculate producer charges due the Program, and submit that form and payment by January 31 of the year immediately following the year in which the vegetables were produced.

Proposed amendments to § 104.56 (relating to responsibilities of the sales agent) lighten the regulatory burden placed on approximately 25 of the approximately 150 vegetable sales agents, relieving them of any responsibility for documenting an affected vegetable producer’s vegetable production or collecting producer charges on the Program’s behalf. This proposed rulemaking would replace this with a straightforward requirement that, upon the request of the Department, a sales agent identify producers from whom the sales agent purchased \$2,000 or more worth of vegetables in a single marketing season (a calendar year). The Department may follow-up and require the sales agent to provide the exact dollar value of the subject vegetables, which would help the Department in calculating the producer charges the affected producer owes the Program.

Proposed amendments to § 104.57 (relating to penalties for noncompliance) delete language referencing and regarding “collecting” sales agents. The current \$300 civil penalty that may be assessed against a sales agent that fails to comply with this section is not proposed to be amended. Proposed amendments add a \$25 civil penalty that may be assessed against producers who do not file their assessment statement forms and producer charges with the Program by the January 31 annual filing deadline.

Persons Likely to be Affected

This proposed rulemaking is not expected to have an adverse impact on any group or entity. It is codifying an existing requirement that affected producers pay producer charges to support the Program.

The vegetable production industry in this Commonwealth is largely comprised of thousands of small family farms. There are approximately 3,300 vegetable producers who would be affected by this proposed rulemaking. Of these, about 1,600 vegetable producers are currently reporting their vegetable production and paying producer charges to support the Program, while approximately 1,700 vegetable producers are either unaware of the Program or are evading its requirements. This is unfair to participating producers and has the Program operating with less than half the funds it should be collecting and directing to its marketing and research efforts. This proposed rulemaking seeks to remedy this situation by allowing the Program to more readily identify those vegetable producers who should be helping to support the Program’s efforts.

Of the approximately 150 vegetable sales agents in this Commonwealth, about 25 are currently required to obtain vegetable production information from producers with which they transact business and collect producer charges on the Program’s behalf. This proposed rulemaking would relieve these sales agents of that burden and require that, upon request of the Department, a sales agent provide the name and address of any producer from which it purchases \$2,000 or more worth of vegetables in a specific calendar-year marketing season. The Department believes it can use this information to identify vegetable producers who should be participating in the Program, secure their participation, apply the Program to all affected vegetable producers, and increase the breadth, depth, quality and impact of the Program’s marketing and research efforts.

The Program allows vegetable growers in this Commonwealth to collectively fund and conduct: 1) generic promotion of Pennsylvania grown vegetables; and 2) practical vegetable production research. These efforts benefit all vegetable producers and the industries in this Commonwealth (such as farm equipment suppliers, fertilizer suppliers, and the like) that support these producers, and help provide the public with fresh, nutritious locally-produced vegetables. Also, several researchers at agricultural colleges and universities (such as The Pennsylvania State University) will benefit from the increased funding that this proposed rulemaking is expected to generate for the Program’s vegetable research and marketing efforts.

The public also has an indirect interest in the continued vitality of the Program. A vibrant and prosperous Pennsylvania vegetable industry boosts the economy in this Commonwealth and also provides the public with the benefits of a fresh, nutritious, locally-produced vegetable supply. These benefits cannot be quantified.

Fiscal Impact

Commonwealth

This proposed rulemaking will not have appreciable fiscal impact upon the Commonwealth.

Political subdivisions

This proposed rulemaking will not have appreciable fiscal impact on political subdivisions.

Private sector

This proposed rulemaking will have some positive fiscal impact upon the private sector. Since only about half (1,600 of 3,300) of affected vegetable producers currently participate in the Program and this proposed rulemaking would bring the other half (approximately 1,700 of 3,300) into the Program, the Department estimates the amount of producer charges the Program collects each year will roughly double, to approximately \$250,000 per year. To the extent this proposed rulemaking helps swell the numbers of affected producers who participate in the Program, and helps fully-fund the Program’s vegetable marketing and research efforts, it will have a net positive fiscal impact on vegetable producers in this Commonwealth and the industries that support them, such as farm equipment suppliers and the like. The fully-funded vegetable marketing and research projects are expected to provide vegetable producers information that will help them more efficiently grow and market their vegetables.

General public

This proposed rulemaking will not have appreciable fiscal impact on the general public, although to the extent this proposed rulemaking helps maintain a vital vegetable production industry in this Commonwealth the general public will benefit from a ready supply of locally-grown nutritious vegetables. This benefit cannot be quantified.

Paperwork Requirements

This proposed rulemaking will simplify the paperwork requirements imposed on vegetable producers by requiring a single, annual accounting and payment. It would also eliminate reporting requirements (and the attendant paperwork) currently imposed on approximately 25 vegetable sales agents. It will not appreciably impact the Department’s paperwork load.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 5, 2017, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) 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.

Effective Date

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

Sunset Date

There is not a sunset date for this proposed rulemaking. The Department will review the efficacy of these regulations on an ongoing basis.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to William Troxell, Director, Pennsylvania Vegetable Marketing and Research Program, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 694-3596 within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions regarding this proposed rulemaking is William Troxell, Director, Pennsylvania Vegetable Marketing and Research Program, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 694-3596.

RUSSELL C. REDDING,
Secretary

Fiscal Note: 2-185. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART IV. BUREAU OF MARKET DEVELOPMENT

CHAPTER 104. ENFORCEMENT OF MARKETING PROGRAMS

Subchapter D. VEGETABLE MARKETING AND RESEARCH PROGRAM

§ 104.51. Scope.

This subchapter establishes the procedures by which vegetable producers shall account for and pay the producer charges owed the Program. **[Depending upon the type of sales agent involved in marketing a producer's vegetables, the producer shall either account for and pay the producer charges directly to the Program or through the sales agent.]**

§ 104.52. Definitions.

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

Auction—A market where producers provide vegetables in wholesale quantities to be auctioned to wholesale buyers.

[Collecting sales agent—A processor, auction, packing house or cooperative which is located in this Commonwealth and which handles, processes, receives, sells or contracts to sell vegetables originating from a producer.]

Cooperative—A sales agent that markets fresh market vegetables on behalf of two or more producers, and which is owned by the producers for which it markets vegetables.

Fresh market vegetables—Vegetables that have not been processed and that are marketed to persons other than processors.

[Growing season—The period from October 15 of a calendar year through October 14 of the following calendar year.]

Greenhouse—

(i) An enclosed structure for growing vegetables, including structures where the internal temperature is controlled or high tunnels where additional heat is not supplied.

(ii) The term does not include low tunnels.

Marketing season—The period from January 1 through December 31 of each calendar year.

Packing house—A facility that receives, washes, grades, packages or packs fresh market vegetables produced by a person other than the owner or operator of that facility.

Person—An individual, firm, corporation, association or other business unit.

Processing—The operation of preserving vegetables for storage by canning, dehydrating, freezing, grinding, crushing, packaging or other means.

Processor—A person who engages in processing.

Producer—[A person who grows 1 or more acres of vegetables within this Commonwealth for the purpose of selling the vegetables. The term also includes persons who grow vegetables in greenhouses located within this Commonwealth if the following exist:

(i) The greenhouse grows vegetables in 1,000 square feet or more of growing space.

(ii) The vegetables are grown for sale.

(iii) The vegetables are not grown to be transplanted outdoors.]

A person who does one or more of the following during a particular marketing season:

(i) Grows 1 acre or more of vegetables in this Commonwealth for the purpose of selling the vegetables.

(ii) Grows vegetables in one or more greenhouses in this Commonwealth if all of the following are accurate:

(A) The greenhouse grows vegetables in 1,000 square feet or more of growing space.

(B) The vegetables are grown for sale.

(C) The vegetables are not grown to be transplanted outdoors.

(iii) Grows vegetables in this Commonwealth and sells \$2,000 or more of the vegetables grown in a given marketing season.

Program—The Pennsylvania Vegetable Marketing and Research Program.

Sales agent—A processor, auction, packing house, fresh market vegetable stand, cooperative, broker, wholesaler, commission merchant or another person who purchases, handles, processes, receives, sells or contracts to sell vegetables originating from a producer. A person may be a sales agent with respect to vegetables of the person's own production.

Vegetable production unit—A unit equal to 1 acre of field vegetable production or 1,000 square feet of greenhouse vegetable production sold in a single marketing season.

Vegetables—Vegetables except Irish potatoes. The term includes: asparagus, beans (snap, dry and lima), beets,

cabbage, cauliflower, broccoli, Brussels sprouts, collards, kale, mustard greens, kohlrabi, carrots, celery, corn (sweet, pop and ornamental), cucumbers, eggplant, garlic, horseradish, leeks, lettuce, muskmelons, watermelon, onions, parsley, parsnips, peas, peppers, pumpkins and squash (edible or decorative), gourds, radishes, rutabagas, spinach, sweet potatoes, tomatoes and turnips produced in this Commonwealth for the purpose of sale by a producer.

Verification—A written statement of fact made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

§ 104.53. **Producer charges.**

[The producer charges owed the Program shall be a fee of \$25 per producer plus \$1.50 per acre for each acre over 10 acres in vegetable production and \$1.50 per 1,000 square feet for each 1,000 square feet over 10,000 square feet in greenhouse vegetable production. Producer charges shall accrue on a growing season basis.]

(a) A producer owes a producer charge to the Program each marketing season. The producer charge is the lesser of the following:

(1) A flat fee of \$25, plus \$1.50 for each vegetable production unit exceeding five vegetable production units.

Example: A grower conducts field vegetable production on 10 acres of land and also has 6,000 square feet of greenhouse vegetable production. This means the grower's vegetable production occurs on a total of 16 vegetable production units (10 of which are attributable to the 10 1-acre units devoted to field vegetable production and 6 of which are attributable to the 6 1,000-square-foot units devoted to greenhouse vegetable production). The \$1.50-per-vegetable-production-unit producer charge does not apply to the first 5 of these 16 vegetable production units, but applies to the remaining 11. The producer charge is \$41.50, calculated by adding (the flat fee of \$25) plus (11 vegetable production units) multiplied by \$1.50 per vegetable production unit).

(2) An amount equal to 1.25% (0.0125) of gross sales of vegetables during a particular marketing season, but no less than \$25.

(b) Producer charges may be changed by subsequent amendment of the Program in accordance with the referendum procedures [set forth] in Chapter 103 (relating to referendums).

§ 104.54. **Accounting, payment and verification procedures.**

[(a) *Production verification statement.* The Program will provide a producer or collecting sales agent with production verification statement forms with which to verify the acreage, or the square-footage, in the case of greenhouse-grown vegetables, of vegetables which the producer raises within a particular growing season. A production verification statement form shall bear a unique serial number and shall require the following information of a producer completing the form for the first time within a particular growing season:

(1) The name and address of the producer.

(2) The name and address of the collecting sales agent, if the form is to be submitted to the Program through a collecting sales agent.

(3) The number of acres of vegetables raised by the producer for processing or fresh market use within the growing season, or other time period designated by the Program, if applicable.

(4) The square footage of greenhouse-grown vegetables raised by the producer within the growing season, or other time period designated by the Program.

(5) The calculation of the amount of producer charges owed the Program by the producer.

(6) The date upon which the form was completed.

(b) *Subsequent production verification statements filed within the same growing season.* A production verification statement form shall require the following information of a producer who has already completed a production verification statement form within that same growing season:

(1) The name and address of the producer.

(2) The serial number of the first production verification statement form completed by the producer within that same growing season.

(3) The name and address of the collecting sales agent, if the form is to be submitted to the Program through a collecting sales agent.

(4) The date upon which the form was completed.

(c) *Circumstances under which no production verification statement form is required.* If a producer has completed a production verification statement form, whether the original form described in subsection (a) or the abbreviated form described in subsection (b), and has submitted it to the Program through a collecting sales agent, that producer need not complete further production verification statement forms with respect to vegetable transactions with that particular collecting sales agent during that particular growing season.

(d) *Deadline for collecting sales agents.* A collecting sales agent shall submit a production verification statement or producer charge which it collects on the Program's behalf by mailing or delivering the same to the Program within 30 days from the time that the collecting sales agent receives the production verification statement and deducts the producer charges reflected on the production verification statement from proceeds otherwise due the producer, or by October 31 immediately following the applicable growing season, whichever occurs first.

(e) *Deadline for producers.* A producer which does not submit a production verification statement and payment of producer charges through a collecting sales agent shall mail or deliver them to the Program by October 31 immediately following the applicable growing season.

(f) *Form of payment.* Whether the payments are made directly to the Program by the producer or are deducted by a collecting sales agent, payments of producer charges shall be by check or money order made payable to the "PA Vegetable Marketing and Research Program."

(g) *Address.* Production verification statements and payments of producer charges shall be mailed or delivered to:

Department of Agriculture
Bureau of Market Development
Attn: Pennsylvania Vegetable Marketing and
Research Program
2301 North Cameron Street
Harrisburg, Pennsylvania 17110-9408]

(a) *Assessment statement.* The Program will provide producers with assessment statement forms with which to verify the acreage, or the square footage in the case of greenhouse-grown vegetables, of vegetables which the producer raises within a particular marketing season. The Program will provide these forms upon request and make these forms available for producers to download from the Program's web site at www.paveggies.org. An assessment statement form will require the following information of a producer with respect to each marketing season:

(1) The name, address and telephone number of the producer.

(2) The marketing season with respect to which the form is submitted.

(3) The number of acres of vegetables raised by the producer for processing or fresh market use and sold within that marketing season.

(4) The square footage of greenhouse-grown vegetables raised by the producer and sold within that marketing season.

(5) The calculation of the amount of producer charges owed the Program by the producer.

(6) The date upon which the form was completed.

(7) A verification, signed by the person submitting the form, confirming the accuracy of the information provided.

(b) *Deadline for producers.* A producer shall mail or deliver to the Program a completed assessment statement form and any producer charges due the Program no later than January 31 immediately following the applicable marketing season.

(c) *Form of payment.* Payments of producer charges shall be by check or money order made payable to "PA Vegetable Marketing and Research Program."

(d) *Address.* Assessment statement forms and payments of producer charges shall be mailed or delivered to:

Department of Agriculture
Bureau of Market Development
Attn: Pennsylvania Vegetable Marketing and
Research Program
2301 North Cameron Street
Harrisburg, Pennsylvania 17110-9408

§ 104.55. Responsibilities of the producer.

It is the responsibility of the producer to submit a complete [**production verification statement**] **assessment statement form**, as described in § 104.54 (relating to accounting, payment and verification procedures), and the appropriate producer charge owed the Program. [**This material shall be submitted to the Program either directly by the producer or through**

a person who is a collecting sales agent with respect to the producer's vegetables.] The producer shall retain a copy of any [**production verification**] **assessment statement form** which is submitted to the Program for at least [**2 growing seasons beyond the growing**] **two marketing seasons beyond the marketing** season with respect to which the form is submitted.

§ 104.56. Responsibilities of the [**collecting**] sales agent.

[(a) *Compliance.* It is the responsibility of a collecting sales agent to require a producer with which it transacts business as a sales agent to submit a completed production verification statement form, as described at § 104.54(a) and (b) (relating to accounting, payment and verification procedures) to the collecting sales agent, unless the producer has submitted a production verification statement form to that collecting sales agent earlier in the same growing season. A person other than a collecting sales agent may not collect producer charges or production verification statement forms on the Program's behalf. The collecting sales agent shall deduct the producer charges reflected on the production verification statement form from proceeds otherwise due the producer. The collecting sales agent shall provide a copy of the completed production verification statement form to the producer and shall retain a copy for its records. The collecting sales agent shall mail or deliver to the Program the original of the production verification statement form, along with the payment of producer charges reflected on the statement form.

(b) *Records.* A collecting sales agent shall retain a copy of any production verification statement form which is received from a producer for at least 2 growing seasons beyond the growing season with respect to which the form was received.]

(a) *Providing basic producer information.* The Department may issue a sales agent a written notice that the sales agent is to provide the Department the name and address of each producer from which the sales agent purchased \$2,000 or more worth of vegetables in a given marketing season. If the Department issues a written notice, the sales agent shall provide the requested information to the Department within 30 days of the date of the written notice.

(b) *Providing production value information.* After the Department has issued a sales agent the written notice described in subsection (a), the Department may follow-up with a subsequent notice that the sales agent is to provide the Department the dollar value of vegetables purchased in a given marketing season from any of the producers identified in the sales agent's initial response to the Department under subsection (a). If the Department issues a follow-up notice, the sales agent shall provide the requested information to the Department within 30 days of the date of the follow-up notice.

§ 104.57. Penalties for noncompliance.

(a) [*Collecting sales*] *Sales agents.* If a [**collecting**] sales agent fails to comply, or fails to comply completely or fails to comply with this subchapter within

the time specified, the Department may bring a civil action in the appropriate magisterial district seeking a penalty of at least \$100 but not more than \$300[, plus the payment of producer charges owed]. [Any penalty sought by the Department will be in addition to payment of delinquent producer charges.]

(b) *Producers.*

(1) ***Failure to mail or deliver assessment statement form and payment by January 31.*** If a producer fails to mail or deliver an assessment statement form and the required payment of producer charges to the Program by the January 31 immediately following the applicable marketing season, as required under § 104.54 (relating to accounting, payment and verification procedures), the producer owes a penalty of \$25. The \$25 penalty is in addition to the producer charges owed and any penalty imposed under paragraph (2).

(2) ***Penalty.*** If a producer fails to comply, or fails to comply completely or fails to comply with this subchapter within the time specified, the Department may bring an action in the appropriate magisterial district seeking a penalty of at least \$100 but not more than \$500, plus payment of producer charges owed. If the producer owes producer charges, the Department will seek a penalty as nearly equivalent to 100% of the delinquent amount as is practicable. A penalty sought by the Department will be in addition to payment of delinquent producer charges.

[Pa.B. Doc. No. 17-1730. Filed for public inspection October 20, 2017, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

[25 PA. CODE CH. 801]
General Policies

Summary: This document contains proposed rules that would codify in the regulations and strengthen the Susquehanna River Basin Commission's (Commission) Access to Records Policy providing rules and procedures for the public to request and receive the Commission's public records.

Dates: Comments on the proposed rulemaking may be submitted to the Commission on or before November 13, 2017. The Commission has scheduled a public hearing on the proposed rulemaking on November 2, 2017, 2:30 p.m. to 5 p.m. or at the conclusion of public testimony, whichever is sooner.

Addresses: Comments may be mailed to: Jason E. Oyler, Esq., General Counsel, Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110-1788, or by e-mail to regcomments@srbc.net. The public hearing is located in Harrisburg, Pennsylvania, State Capitol (East Wing, Room 8E-B), Commonwealth Avenue, Harrisburg, PA 17120.

Those wishing to testify are asked to notify the Commission in advance, if possible, at the regular or electronic addresses given below.

For Further Information Contact: Jason E. Oyler, Esq., General Counsel, telephone: (717) 238-0423, ext. 1312;

fax: (717) 238-2436; e-mail: joyler@srbc.net. Also, for further information on the proposed rulemaking, visit the Commission's website at <http://www.srbc.net>.

Supplementary Information:

The Commission has long made its records available to the public but it has never formalized its open records policy in regulation. The Commission first promulgated its "Freedom of Information Policy" on January 11, 1979. As an interstate compact agency, no single member jurisdiction may subject the Commission to its open records law. See *C.T. Hellmuth & Associates v. Washington Metropolitan Area Transit Authority*, 414 F. Supp. 408 (D. Md. 1976) (holding that Maryland could not unilaterally subject transit authority to the provision of the Maryland Public Information Act). In recognition of this limitation, the Commission developed its policy "in line with Freedom of Information legislation enacted by all four signatory jurisdictions." See Minutes of Commission Meeting (Jan. 11, 1979). As noted in the January 11, 1979, meeting minutes of the Commission, the Policy "merely formalized the current Commission practice of making its records available to the furthest extent possible."

The Commission updated its open records policy on September 10, 2009, by adopting its "Access to Records Policy," Policy No. 2009-02 on September 10, 2009. This policy replaced the 1979 Freedom of Information Policy. The updated policy reflected the practice of the Commission's member jurisdictions, recognized records in electronic format as being subject to public access and added a formal procedure for the protection of confidential information submitted by project sponsors and a procedure for the public to challenge the designation of this information as confidential. This revised policy also provided that the Commission "will endeavor to make as much information as possible available on its website. . . ., in an effort to eliminate the need for many records requests." For example, the Commission provides all of its approved dockets on its website, as well as information summaries for each docket or project application pending before the Commission, policies, reports, publications and data from its water quality monitoring programs.

The Commission believes the results of this policy have been successful. From 2012 through 2016, the Commission provided records to 152 distinct records requests in writing for documents data or information, as well as innumerable informal requests. The Commission website has been a well-used public resource and repository for records. In the past 12 months, the Commission website has received 121,213 visits from 26,522 unique visitors. The Commission Water Application and Approval Viewer, where the public can view Commission dockets and pending application information, was recently upgraded to increase its functionality and ease of use and received 16,593 unique page views over the past 12 months. Similarly, the Commission water quality network data landing page received 9,904 unique page views over this same time period.

The Commission wishes to continue this long tradition of transparency by further formalizing the key elements of its Access to Records Policy in duly promulgated regulations. The Commission is not looking to replace the policy, but rather to memorialize the key tenets of the policy in regulation. Through this action, the Commission will be codifying its commitment to public access to records in a way that imbues them with the status of law that can be enforceable against the Commission.

The Commission's 2009 Access to Records Policy can be found at: http://www.srbcc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf. The Commission's current records processing fee schedule can be found at: <http://www.srbcc.net/pubinfo/docs/RecordsProcessingFeeScheduleUpdatedAddress.pdf>.

List of Subjects in 18 CFR Part 801

Administrative practice and procedure, Water resources.

Accordingly, for the reasons set forth in the preamble, the Susquehanna River Basin Commission proposes to amend 18 CFR part 801 as follows:

PART 801—GENERAL POLICIES

1. The authority citation for part 801 shall be amended to read as follows:

Authority: Secs. 3.1, 3.4, 3.5(1), 15.1 and 15.2, Pub.L. 91-575 (84 Stat. 1509 et seq.)

2. Add § 801.14 to read as follows:

§ 801.14 Public Access to Records.

(a) *Purpose.* The Commission, as an independent compact agency, is not subject to any of its member jurisdictions' laws regarding public access to records. Nevertheless, the Commission wishes to assure, to the maximum extent practicable, the availability of Commission records consistent with the Susquehanna River Basin Compact. The Commission shall maintain an "Access to Records Policy" that outlines the details and procedures related to public access to the Commission's records. Any revisions to this policy shall be consistent with this section and undertaken in accordance with appropriate public notice and comment consistent with requirements of 18 CFR § 808.1.

(b) *Scope.* This section shall apply to all recorded information, regardless of whether the information exists in written or electronic format. There is a strong presumption that records shall be public, except where considerations of privacy, confidentiality, and security must be considered and require thoughtful balancing. The Commission shall identify types of records that are not subject to public access, including but not limited to:

- (1) Personnel or employment records;
- (2) Trade secrets, copyrighted material, or any other confidential business information;
- (3) Records exempted from disclosure by statute, regulation, court order, or recognized privilege;
- (4) Records reflecting internal pre-decisional deliberations;
- (5) Records reflecting employee medical information, evaluations, tests or other identifiable health information;
- (6) Records reflecting employee personal information, such as social security number, driver's license number, personal financial information, home addresses, home or personal cellular numbers, confidential personal information, spouse names, marital status or dependent information;
- (7) Investigatory or enforcement records that would interfere with active enforcement proceedings or individual due process rights, disclose the identity of public

complainants or confidential sources or investigative techniques or endanger the life or safety of Commission personnel; or

(8) Records related to emergency procedures, facilities or critical infrastructure.

(c) *Procedures.* The Access to Records Policy will detail the necessary procedures for requesting records and processing records requests.

(1) Requests shall be in writing and shall be reasonably specific;

(2) The Commission shall identify an Access to Records Officer to handle requests;

(3) The Commission shall respond to a records request within a reasonable time and in consideration of available resources and the nature of the request;

(4) The Commission shall not be required to create a record that does not already exist, or to compile, maintain, format or organize a public record in a manner in which the Commission does not currently do so;

(5) A procedure shall be identified for electronic transfer, copying or otherwise providing records in a manner that maintains the integrity of the Commission's files;

(6) A procedure shall be identified for handling review of requests that seek access to information that has been identified as confidential and for notifying the person(s) who submitted the confidential information that it is subject to a records request.

(d) *Fees.* The Commission shall adopt and maintain a "Records Processing Fee Schedule." The fees shall be calculated to reflect the actual costs to the Commission for processing records requests and may include the costs of reproducing records and the cost to search, prepare and/or redact records for extraordinary requests.

(e) *Appeals.* Any person aggrieved by a Commission action on a records request shall have 30 days to appeal a decision in accordance with 18 CFR § 808.2.

Dated: October 5, 2017.

ANDREW D. DEHOFF,
Executive Director

Fiscal Note: 72-14. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART IV. SUSQUEHANNA RIVER BASIN COMMISSION

CHAPTER 801. GENERAL PROVISIONS

§ 801.14. Incorporation by reference.

The regulation set forth in 18 CFR 801.14 (relating to public access to records) is incorporated by reference and made part of this title.

[Pa.B. Doc. No. 17-1731. Filed for public inspection October 20, 2017, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Malt and Brewed Beverage Industry Promotion Board; Grant Solicitation Announcement and Application Procedures

1. *Introduction.* The Pennsylvania Malt and Brewed Beverage Industry Promotion Board (Board) annually, or more frequently as the availability of fund permits, will solicit proposals for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of malt and brewed beverages produced in this Commonwealth. The Board was established by section 446.1 of the Liquor Code (47 P.S. § 4-446.1). The Board makes recommendations for the awarding of grants by the Liquor Control Board from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001). This notice establishes the procedures by which grant applications will be solicited and reviewed, and grants awarded.

2. *Grant Solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for a period of not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made as determined by the Board, and may include directly to State universities and State-supported universities in this Commonwealth, universities with colleges of agricultural science in this Commonwealth and individuals or entities who have requested notification from the Department of Agriculture or the Board of grant availability.

3. *Process Overview.* The Board will employ the review process described as follows to select projects to recommend to the Liquor Control Board for the making of a grant. In the event of a recommendation to the Liquor Control Board to make and fund a grant, the decision as to whether to award a grant will be made by the Liquor Control Board. If the Liquor Control Board approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the Liquor Control Board and the applicant, which shall be tendered to the applicant for execution by the Board on behalf of the Liquor Control Board, returnable in no more than 30 days.

4. *Application Deadlines.* Interested applicants must deliver a complete project proposal and grant application to the Board by 4 p.m. on Thursday, November 30, 2017, if hand-delivered, or sent by United States Mail and postmarked on or before the same date. Applications should be addressed and delivered to the Department of Agriculture, Bureau of Market Development, ATTN: Agricultural Commodity Board Grant Program, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

a. Applicants are expected to participate by conference call to provide a brief presentation of 3 to 5 minutes of their proposal to the Board, and answer questions regarding the proposal, at the Board's next scheduled meeting on Friday, December 1, 2017, beginning at 10 a.m. Applicants shall call (717) 612-4733, PIN 243893, to participate. The location of the meeting will be in Room

309, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110-9408. In-person attendance of applicants is not required.

5. *Format of the Project Proposal and Grant Application.* The project proposal and grant application shall be formatted as follows:

a. Cover Page, titled Pennsylvania Malt and Brewed Beverage Industry Promotion Board—Project Proposal and Grant Application, providing: the title of the proposed project; the name and address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; and the total maximum grant amount sought for the proposed project or program.

b. Section 1, titled Linkage to Funding Priorities, addressing: how the project will support one of the funding priorities established by the Board which are listed in paragraph 12; the geographic area of this Commonwealth where impact will occur; and the intended impact created by the project and who will benefit.

c. Section 2, titled Statement of Purpose, addressing: the purpose for which the grant funds would be utilized; how the project links, supports and benefits Pennsylvania beer; the specific details of the proposed project, with an emphasis on innovation, including what is new or different about this project that will enhance success; and the staffing and resources required for project success.

d. Section 3, titled Methodology and Evaluation, addressing: the type of project (promotion, marketing, outreach, research, tech transfer, and the like); the methodology to be employed, including an evaluation component; the expected impact and outcomes; a qualitative or quantitative estimate of economic impacts (direct, indirect, induced); and the sectors of the industry that will receive this benefit.

e. Section 4, titled Statement of Need, addressing: the need for the grant funds sought; any other partners or partner organizations that will be involved with the project; and any noncash resources that will be committed to the project and the sources thereof.

f. Section 5, titled Budget, presenting a detailed budget for the proposed project or program, including any other matching funds and the value of any noncash resources that will be included in the project.

g. Section 6, titled Industry Support, addressing the extent of support, participation and funding from this Commonwealth's beer industry, including associations or organizations, or both, that may represent the industry or government agencies with an interest in the project outcome; any letters of support should be attached.

6. *Scoring of Applications.* The Board will evaluate each complete and timely-filed project proposal and grant application received in accordance with a 100-point scale as set forth in Addendum 1.

7. *Scores.* Upon completion of evaluations, the Board will prepare a record identifying each complete and timely-filed project proposal and grant application received and the numerical score assigned to each. In the event of one or more recommendations to the Liquor Control Board to make and fund a grant, the Board will transmit to the Liquor Control Board the project proposal and grant application along with the score assigned to it by the Board and any other information deemed relevant

by the Board or requested by the Liquor Control Board. Request will be made by the Board that the Liquor Control Board respond to all recommendations for grant approval within 30 days.

8. *Term of Grants.* Applications should be submitted for projects beginning no later than June 30, 2018, and preferably beginning at a sooner date. Anticipated completion dates will be dictated by the project scope and parameters and may exceed 12 months from commencement if the project so warrants. The Board may recommend that the Liquor Control Board approve grant funding for multiyear projects or extensions of ongoing projects, if applicable, if the Board identifies that a multiyear term or a project extension advances the overall grant project's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

9. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Board. Best efforts will be made to do so within 60 days of the application deadline.

10. *Grant Agreement.* With the mailed grant award notice, the Board will provide applicants with a grant agreement for execution and return within 30 days. The Board will obtain the required signature on the grant agreements, including the Liquor Control Board, and any other required Commonwealth entities, and return a copy to the applicant. Unless otherwise stated in the executed grant agreement, no grant agreement is effective and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Board full and complete access to all records relating to the performance of the project and submit information as the Board may require.

11. *Cost-Reimbursement Grant.* Unless stated otherwise in the executed grant agreement, payment of all grant funds will occur on a reimbursement basis only and no funds will be included in any grant award for indirect costs.

12. *Funding Priorities.* In accordance with paragraph 5.b., the Board has identified the following funding priorities, listed in no particular order. The name given to each priority area is not intended to limit the intended scope and creative thought applied by applicants in developing projects that serve the purposes articulated in this notice.

a. *Agriculture:* Projects are sought that will lead to the expansion, through means including cultivation, value added manufacturing and research, of beer industry-related raw material produced or grown, or both, in this Commonwealth. Some examples of desired project scope include:

- Research and development that will increase the production, quality or yield of raw agricultural commodities (hops, barley, and the like) produced in this Commonwealth and used by the Commonwealth's beer industry.
- Research that will identify growing conditions for hop production and evaluate each of this Commonwealth's 67 counties on the criteria.
- Outreach and support to encourage existing agricultural producers to consider hop production.
- Matching funds for small Commonwealth based start-up businesses or ventures focused on agricultural

related cultivation (hops and barley) or value-added manufacturing of beer related raw materials (malting).

b. *Tourism:* Projects are sought from organizations interested in marketing and integrating this Commonwealth's beer industry into new or existing regional and Statewide tourism initiatives, such as:

- Development of beer tourism and beer trails (using and expanding upon the "Bourbon Trails" model).
- Regional integration of breweries and brewery visitation with existing attractions, destinations and the regional hospitality industry.

c. *D Retailer Outreach:* Projects are sought that will assist D License holders in efforts to change existing business models and remain viable, competitive and profitable within the parameters of the Liquor Code, including providing consultation, training and business plan development to interested D retailers to assist them in transforming their business models based on recent changes to the Liquor Code. The proposer should illustrate the ability to:

- Understand, interpret and transfer knowledge related to the Liquor Code.
- Understand both the new opportunities as well as the threats presented to retailers as a result of recent changes to the Liquor Code.
- Have working knowledge of the beer industry retail trade and practices, the constraints on the industry, SOPs, financial models, and the like.
- Identify and document best practices within this Commonwealth's retail beer industry (D license holders) regarding layout and design (shelf space, lighting, signage), hours of operation and staff models, promotions and displays, value added merchandise and best practices in urban, suburban and rural markets.
- In conjunction with existing industry stakeholders, like the Malt Beverage Distributors Association (MBDA), develop guidelines, standards and communicate best practices in a user friendly format, as well as offer training and outreach conferences in appropriate locations throughout this Commonwealth.
- In conjunction with existing industry stakeholders like the MBDA, the project may include efforts to create special grants or business loans made available to retailers to implement new business models.

d. *Beer Industry Research:* The Board seeks research and the development of quantitative data on the beer industry in this Commonwealth, such as:

- Research that will identify and map the size and impacts of this Commonwealth's macro beer industry (production, wholesale and retail) identifying direct, indirect, induced impacts.
- Research that will identify the upstream and downstream economic opportunities related to this Commonwealth's beer industry.
- Research that can measure the economic impacts on this Commonwealth's beer industry of recent changes to the Liquor Code.
- Research that will offer guidance on how the Liquor Code could be further amended to benefit this Commonwealth's beer industry and what existing regulation could be added or removed to improve the competitive advantages of this Commonwealth's beer industry.

e. *Technical Assistance, Support and Research and Development*: Projects are sought that will advance best practices, technology transfer, research and development, workforce development and training in this Commonwealth's brewing industry. The Board is interested in funding projects that will: increase beer knowledge/science; advance best practices in brewing; provide education/training opportunities related to beer production, quality, packaging, marketing and sales; and promote innovation in the brewing and manufacturing processes. Examples could include:

- Engagement of consultants, speakers and subject matter experts for industry related training, presentations or problem solving in conjunction with conferences, technical work groups and association members.
- Research and development projects on relevant topics concerning brewing and manufacturing processes.

- Customized training/education in areas related to: differing levels of brewery, wholesale and retail management; sales and marketing; brewery—wholesaler relationships; beer market best practices; and industry recognized certifications.

f. *Innovation*: The Board will consider projects that do not fall into any of the other funding priorities but nevertheless offer unique approaches to supporting and promoting Pennsylvania beer. The Board believes that innovation is the driving force behind the growth and success of this Commonwealth's beer industry. This category of funding is designed for projects and initiatives that demonstrate new thinking, ideas and approaches to promoting Pennsylvania beer—and do not fit into any other category.

RUSSELL C. REDDING,
Secretary

Addendum 1 to Grant Solicitation Announcement and Application Procedures

<i>Section Title</i>	<i>Evaluation Criteria</i>	<i>Points</i>
Feasibility	<ul style="list-style-type: none"> • To what extent can the Purpose be accomplished with the funds requested? • Is there enough non-cash capacity to fulfill the objectives of the project? • Are the proposed outcomes and impacts in proportion to the grant request? • Can the project be completed within the timeline established? • Are the outcomes proposed realistic? 	10
Linkages to PA's Beer Industry	<ul style="list-style-type: none"> • Is there a compelling link to PA's Beer Industry? • How quickly will the industry benefit from project outcomes? 	10
Innovation	<ul style="list-style-type: none"> • Does the proposal offer a "new approach" in supporting PA Beer? • Will the project offer or create any new competitive advantages? • Do the project outcomes offer new and unique benefits to the industry? • What components of the project are sustainable once completed? 	20
Expected Impacts & Outcomes	<ul style="list-style-type: none"> • Will the project raise the visibility of PA Beer? • Will the impacts and outcomes offer long-term benefits? • Do they provide solutions to current industry challenges? • How will the impacts and outcomes ultimately strengthen PA's beer industry? • How much of the industry will benefit from the project? 	20
Economic Benefits Generated	<ul style="list-style-type: none"> • Does the project create jobs? • Does the project save money for the industry? • Will it strengthen the economic viability of the industry and how? • Does the project support and promote intrastate and/or interstate tourism? 	20
Methodology & Evaluation	<ul style="list-style-type: none"> • Can the methodology produce the desired outcomes? • Does the evaluation component measure the right outcomes? • Can the methodology produce stated economic benefits and can the evaluation accurately measure so benefits? 	10
Industry Support	<ul style="list-style-type: none"> • Is there strong industry support for this project? • Are there any matching funds or leveraged resources? 	10

[Pa.B. Doc. No. 17-1732. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 10, 2017.

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 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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-3-2017	Richard J. Green Application for approval to acquire over 50% majority voting control of Semperverde Holding Company, Conshohocken, and thereby voting control of Firstrust Savings Bank, which is a wholly owned subsidiary of Semperverde Holding Company.	Effective
10-10-2017	Lawrence Keister & Company Scottsdale Westmoreland County Application for approval to acquire more than 10% of the common stock of Mid Penn Bancorp, Inc., Millersburg, and thereby indirectly acquire more than 10% of Mid Penn Bank, the wholly-owned subsidiary of Mid Penn Bancorp, Inc.	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-25-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 214 East College Avenue State College Centre County <i>From:</i> 122 West College Avenue State College Centre County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-22-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2301 Welsh Road Philadelphia Philadelphia County	Closed
9-22-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2890 Audubon Village Drive Norristown Montgomery County	Closed
9-22-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1991 Sproul Road Broomall Delaware County	Closed
9-22-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	141 South Center Street Grove City Mercer County	Closed
9-22-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	3936 Brodhead Road Monaca Beaver County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
10-10-2017	Indiana First Savings Bank Indiana Indiana County Amendment to Article 1 of the institution's Articles of Incorporation provides for change in corporate title to "InFirst Bank."	Effective
10-10-2017	Slovak Savings Bank Pittsburgh Allegheny County Amendment to Article 1 of the institution's Articles of Incorporation provides for change in corporate title to "SSB Bank." Amendment to Article 2 provides for change in the principal place of business to 8700 Perry Highway, Pittsburgh, Allegheny County, PA 15237.	Filed

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-6-2017	Delco Postal Credit Union Upper Darby Delaware County	Approved
	Application for approval to merge Philadelphia Post Office Employees Credit Union, Yeadon, with and into Delco Postal Credit Union, Upper Darby.	

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-4-2017	Superior Credit Union Collegeville Montgomery County	<i>To:</i> 930 North Charlotte Street Pottstown Montgomery County <i>From:</i> 2020 Swamp Road Gilbertsville Montgomery County	Withdrawn

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 17-1733. Filed for public inspection October 20, 2017, 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 POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063894 (Industrial)	Minersville Borough Municipal Authority WTP 2 E Sunbury Street Minersville, PA 17954-1719	Schuylkill County Cass Township	Dyer Run (3-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080560—SW	TA OPR LLC—Harrisburg Travel Center 24601 Center Ridge Road West Lake, OH 44145	Dauphin County/ West Hanover Township	Manada Creek/7D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0003549 (Storm Water)	Dominion Transmission Inc. Oakford Compressor Station 466 East Pittsburgh Street Greensburg, PA 15601	Westmoreland County Salem Township	Beaver Run (18-B)	No
PAS204802 (Storm Water)	Titan Energy Park 1965 Waddle Road State College, PA 16803-1639	Centre County Spring Township	Logan Branch (9-C)	Yes
PA0228524 (Sewage)	Duncan Township Village of Antrim STP 42 Duncan Township Road Wellsboro, PA 16901-8544	Tioga County Duncan Township	Unnamed Tributary of Wilson Creek (9-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0003026 (Sewage)	US Bronze Foundry & Machine 18649 Brake Shoe Road P.O. Box 458 Meadville, PA 16335-9603	Crawford County Woodcock Township	French Creek and Unnamed Tributary to French Creek (16-D)	Yes

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

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

PA0265209, Sewage, SIC Code 8800, **William E Roberts Jr**, 6300 Franklin Road, Fairview, PA 16415. Facility Name: William E Roberts SRSTP. This proposed facility is located in Fairview Township, **Erie County**.

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

The receiving stream, an Unnamed Tributary to the Trout Run, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

PA0265390, Sewage, SIC Code 4952, 8800, **Nicholas Schneider**, 683 Highmeyer Road, Harborcreek, PA 16421. Facility Name: Nicholas Schneider SRSTP. This proposed facility is located in Harborcreek Township, **Erie County**.

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

The receiving stream is an unnamed tributary to Scott Run, located in State Water Plan watershed 15-A and classified for Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	XXX	Report IMAX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Daily Max	XXX	1,000

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

The EPA Waiver is in effect.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. 2317401, Sewage, **Newtown Township Municipal Authority**, 209 Bishop Hollow Road, Newtown Square, PA 19073-3219.

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

Description of Action/Activity: Construction and operation of a pumping station. Camelot Pump Station Service Area.

WQM Permit No. 2317402, Sewage, **Newtown Township Municipal Authority**, 209 Bishop Hollow Road, Newtown Square, PA 19073-3219.

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

Description of Action/Activity: Construction and operation of a pumping station. Ashford Pump Station Service Area.

WQM Permit No. 4617406, Sewage, **Pottstown Borough Authority**, 100 E. High Street, Pottstown, PA 19464.

This proposed facility is located in Pottstown Borough, **Montgomery County**.

Description of Action/Activity: Replacement of existing sludge dryer with a new belt-driven, closed air loop thermal sludge dryer.

WQM Permit No. 2317403, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: To increase the design hydraulic capacity of the WWTP from 1.8 mgd, to 2.2 mgd.

WQM Permit No. 2309408, Sewage, Amendment, **DELCORA**, 100 East Fifth Street, P.O. Box 999, Chester, PA 19016-0999.

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

Description of Action/Activity: Install 2 new fine screens. One (1) screen will be located in each of the existing grit tanks. The fine screens will remove solids from the wastewater influent flow.

WQM Permit No. WQG02091711, Sewage, **Newtown Bucks County Joint Municipal Authority**, 15 South Congress Street, P.O. Box 329, Newtown, PA 18940.

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

Description of Action/Activity: Construction and operation of common force main.

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

WQM Permit No. 0690409, Sewerage, **Pilot Travel Center LLC**, 5508 Lonas Drive, Knoxville, TN 37909.

This proposed facility is located in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Amendment.

WQM Permit No. 3693401 A-2 Sewerage, **Millersville Borough**, 100 Municipal Drive, Millersville, PA 17551.

This proposed facility is located in Manor Township, **Lancaster County**.

Description of Proposed Action/Activity: Amendment.

WQM Permit No. 0610402, Sewerage, **Womelsdorf Sewer Authority**, 101 West High Street, Womelsdorf, PA 19567.

This proposed facility is located in Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Amendment.

WQM Permit No. 5017402, Sewerage, **Ken and Sherry Stetler**, 4976 Spring Road, Shermans Dale, PA 17090.

This proposed facility is located in Carroll Township, **Perry County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow sewage treatment system to serve their single family home.

WQM Permit No. 2117408, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Wertz Run Interceptor (East of Intersection Longstreet Drive and Wertz Run Road).

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Pike County Conservation District, 556 Route 402, Hawley, PA 18428.

Wayne County Conservation District, 648 Park Street, Honesdale, PA 18431.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD520004	Pennsylvania Dept. of Transportation Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Pike & Wayne	Palmyra & Greene Townships (Pike Co.) Sterling Township (Wayne Co.)	Wallenpaupack Creek (HQ-CWF, MF), East Branch Wallenpaupack Creek (HQ-CWF, MF), Kleinhans Creek (HQ-CWF, MF) Sand Spring Creek (EV, MF) EV Wetland (W-SRC-26), EV Wetland (W-SRC-27)

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

 PAG-12 CAFOs

MS4 PAG-13 Notices of Intent Received

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136192	Liberty Borough Allegheny County 2921 Liberty Way McKeesport, PA 15133-2717	Liberty Borough, Allegheny County	Y	N
PAG136195	West View Borough Allegheny County 441 Perry Highway Municipal Building Pittsburgh, PA 15229	West View Borough, Allegheny County	N	Y
PAG136172	Ambridge Borough 600 11th Street Ambridge, PA 15003-2377	Ambridge Borough, Beaver County	N	Y
PAI136140	Conemaugh Township 1120 Tire Hill Road Johnstown, PA 15905-7707	Conemaugh Township, Somerset County	Y	N
PAG136363	Forward Township Allegheny County 1000 Golden Circle Elizabeth, PA 15037-3199	Forward Township, Allegheny County	Y	N
PAG136337	Bentleyville Borough Washington County 900 Main Street Bentleyville, PA 15314	Bentleyville Borough, Washington County	N	N
PAG136374	Freeport Borough 414 Market Street Freeport, PA 16229-1122	Freeport Borough, Armstrong County	NO	NO
PAG136390	Kiskiminetas Township Armstrong County 1222A Old State Road Apollo, PA 15613	Kiskiminetas Township, Armstrong County	Y	N
PAG136199	Homestead Borough Allegheny County 221 E 7th Avenue Homestead, PA 15120-1511	Homestead Borough, Allegheny County	Y	Y
PAG136300	Connellsville Township Fayette County 166 McCoy Hollow Road Connellsville, PA 15425-6400	Connellsville Township, Fayette County	N	N
PAG136303	Borough of Pleasant Hills 410 E Bruceton Road Pittsburgh, PA 15236-4504	Pleasant Hills Borough, Allegheny County	NO	NO
PAG136185	Dravosburg Borough 226 Maple Avenue Dravosburg, PA 15034-0037	Dravosburg Borough, Allegheny County	Yes	No
PAG136361	East Conemaugh Borough Cambria County 355 1st Street East Conemaugh, PA 15909-1905	East Conemaugh Borough, Cambria County	N	N

NOTICES

6505

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG130003	Upper Darby Township 100 Garrett Road Upper Darby, PA 19082	Upper Darby Township Delaware County	N	Y
PAG130097	Tinicum Township 629 N. Governor Printz Blvd Essington, PA 19029	Tinicum Township Delaware County	N	N
PAG130008	Plymouth Township 700 Belvoir Road Plymouth Meeting, PA 19462	Plymouth Township Montgomery County	N	Y
PAG130158	Concord Township 43 Thornton Road Glen Mills, PA 19342	Concord Township Delaware County	N	Y
PAG130107	Upper Pottsgrove Township 1409 Farmington Road Pottstown, PA 19464	Upper Pottsgrove Township Montgomery County	N	Y
PAG130128	Yeadon Borough PO Box 5187 Yeadon, PA 19050	Yeadon Borough Delaware County	N	Y
PAG130127	Darby Borough PO Box 351 821 Summit Street Darby, PA 19023	Darby Borough Delaware County	N	Y

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG132321	Lehman Township P.O. Box 262 Lehman, PA 18627	Lehman Township, Luzerne County	N	Y
PAG132247	Nanticoke City 15 E. Ridge Street Nanticoke, PA 18634	Nanticoke City, Luzerne County	N	Y
PAG132274	Plymouth Township 925 W. Main Street Plymouth, PA 18651	Plymouth Township, Luzerne County	N	Y
PAG132305	Luzerne Borough 144 Academy Street Luzerne, PA 18709	Luzerne Borough, Luzerne County	N	Y
PAG132227	Plains Township 126 N. Main Street Plains, PA 18705	Plains Township, Luzerne County	N	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133680	East Pennsboro Township 98 S. Enola Drive Enola, PA 17025	East Pennsboro Township Cumberland County	N	Y
PAG133703	Myerstown Borough 101 South Railroad Street Myerstown, PA 17067	Myerstown Borough, Lebanon County	N	Y
PAG133504	Heidelberg Township P.O. Box 241 Robesonia, PA 19551	Heidelberg Township Berks County	N	Y
PAG133552	Lemoyne Borough 510 Herman Ave Lemoyne, PA 17043	Lemoyne Borough Cumberland County	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133658	Mount Joy Borough 21 East Main Street Mount Joy, PA 17552	Mount Joy Borough Lancaster County	N	Y
PAG133739	Hamilton Township 1270 Crottlestown Road Chambersburg, PA 17201	Hamilton Township Franklin County	N	Y
PAG133738	Rockland Township 41 Deysher Road Fleetwood, PA 19522	Rockland Township Berks County	Y	N
PAG133527	Leesport Borough 27 South Canal Street Leesport, PA 19533	Leesport Borough Berks County	N	N
PAG133645	Middletown Borough 60 West Emaus Street Middletown, PA 17057	Middletown Borough Dauphin County	N	Y
PAG133545	West Hanover Township 7171 Allentown Blvd Harrisburg, PA 17112	Mount Joy Borough Dauphin County	N	Y

Northwest Regional Office: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481. Phone: 814.332.6942.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG138339	Jackson Township Butler County 140 Magill Road Zelienople, PA 16063-3424	Jackson Township, Butler County	Y	N
PAG138329	Butler City Butler County 124 West North Street Butler, PA 16001	Butler City, Butler County	N	N
PAG138318	Cranberry Township Butler County 2525 Rochester Road Cranberry Township, PA 16066	Cranberry Township, Butler County	N	Y
PAG138340	Callery Borough Butler County Drawer G Callery, PA 16024	Callery Borough, Butler County	Y	N
PAG138313	Lake City Borough Erie County 2350 Main Street Lake City, PA 16423-1509	Lake City Borough, Erie County	Y	N

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Permit No. 2317505, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township Tinicum

County **Delaware**

Responsible Official Curt Steffy, VP-Production
Aqua PA, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Type of Facility PWS

Consulting Engineer Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Application Received Date September 14, 2017

Description of Action Application for installation of a tank mixer and THM removal system at the Tinicum Tank.

Permit No. 1517521, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township Charlestown

County **Chester**

Responsible Official Curt Steffy, VP-Production
Aqua PA, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Type of Facility PWS

Consulting Engineer Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Application Received Date September 14, 2017

Description of Action Installation of a tank mixer and THM removal system at Sidley Hill Tank.

Permit No. 1517522, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township Westtown

County **Chester**

Responsible Official Curt Steffy, VP-Production
Aqua PA, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Type of Facility PWS

Consulting Engineer Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Application Received Date September 14, 2017

Description of Action Application for installation of a tank mixer and THM removal system at the Radley Run Tank.

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 2217511 MA, Minor Amendment, Public Water Supply.

Applicant **SUEZ Water Pennsylvania**

Municipality Susquehanna Township

County **Dauphin**

Responsible Official John D. Hollenbach,
Vice-President
4211 East Park Circle
Harrisburg, PA 17111-0151

Type of Facility Public Water Supply

Consulting Engineer Daniel Cargnel, P.E.
Buchart Horn Inc
3700 Koppers Street
Baltimore, MD 21227

Application Received: 9/12/2017

Description of Action The replacement of gas chlorination at the Rockville Raw Water Pump Station with a calcium hypochlorite tablet chlorinator feed system.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 6317504, Public Water Supply.

Applicant **Tri-County Joint Municipal Authority**
26 Monongahela Avenue
PO Box 753
Fredericktown, PA 15333

[Township or Borough] East Bethlehem Township

Responsible Official Vince Bloom, Chairman
Tri-County Joint Municipal Authority
26 Monongahela Avenue
PO Box 753
Fredericktown, PA 15333

Type of Facility Water system

Consulting Engineer Entech Engineering, Inc.
400 Rouser Road
Building 2, Suite 200
Coraopolis, PA 15108

Application Received Date October 3, 2017

Description of Action Installation of a second gas chlorination system (redundant).

Permit No. 0217543, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Township or Borough] Fox Chapel Borough

Responsible Official Mark E. Nicely, P.E., Manager
Fox Chapel Authority
255 Alpha Drive
Pittsburgh, PA 15238

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 6, 2017

Description of Action Renovations to the Fox Chapel
Road booster pump station.

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

Permit No. 2417502, Public Water Supply.

Applicant **Johnsonburg Borough
Municipal Authority**

Township or Borough Johnsonburg Borough
County **Elk**

Responsible Official Edwin Gapinski
Chairman
Johnsonburg Borough Municipal
Authority
434 Center Street
Johnsonburg, PA 15845

Type of Facility Community Water Supply

Consulting Engineer Joshua Denver Gunnett, P.E.
Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Application Received Date October 6, 2017

Description of Action Permit application to construct
new membrane filtration water
treatment plant.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 1117513WMP, Minor Amendment.

Applicant **Municipal Authority of the
Borough of Portage**
606 Cambria Street
Portage, PA 15946

[Township or Borough] Portage Township

Responsible Official David Miorelli, Chairman
Municipal Authority of the
Borough of Portage
606 Cambria Street
Portage, PA 15946

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.
227 Franklin Street
Suite 300
Johnstown, PA 15901

Application Received Date October 6, 2017

Description of Action Permitting of two existing bulk
load-out facilities.

Application No. 5617509MA, Minor Amendment.

Applicant **Gray Area Water Authority**
PO Box 118
Gray, PA 15544

[Township or Borough] Jenner Township

Responsible Official Jeff Marker, Authority Manager
Gray Area Water Authority
PO Box 118
Gray, PA 15544

Type of Facility Water system

Consulting Engineer Uni-Tech Consulting Engineers,
Inc.
2007 Cato Avenue
State College, PA 15801

Application Received Date October 3, 2017

Description of Action Installation of a pressure
reducing vault and
approximately 1,800 feet of
waterline to provide a connection
to the Somerset County General
Authority.

Application No. 3017514MA, Minor Amendment.

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

[Township or Borough] Morgan Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Installation of the Beazer Meter
Vault.

**Application No. 3013501WMP6, Minor Amend-
ment.**

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

[Township or Borough] Morgan Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Beazer Meter Vault bulk load-out facility.

Application No. 3017515MA, Minor Amendment.

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

[Township or Borough] Morgan Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Installation of the Chartiers
Road Meter Vault.

Application No. 3013501WMP7, Minor Amendment.

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

[Township or Borough] Morgan Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Chartiers Road vault bulk
load-out facility.

Application No. 3017516MA, Minor Amendment.

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

[Township or Borough] Washington Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Installation of the Shipman
Meter Vault.

Application No. 3013501WMP8, Minor Amendment.

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

[Township or Borough] Washington Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Shipman Meter Vault bulk
load-out facility.

Application No. 3017517MA, Minor Amendment.

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

[Township or Borough] Washington Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Application Received Date October 4, 2017
 Description of Action Installation of the Minor Meter Vault.

Application No. 3013501WMP9, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 PO Box 187
 Jefferson, PA 15344
 [Township or Borough] Washington Township
 Responsible Official Timothy C. Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 PO Box 187
 Jefferson, PA 15344

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Application Received Date October 4, 2017
 Description of Action Minor Meter Vault bulk load-out facility.

Application No. 3017518MA, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 PO Box 187
 Jefferson, PA 15344
 [Township or Borough] East Bethlehem Township
 Responsible Official Timothy C. Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 PO Box 187
 Jefferson, PA 15344

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Application Received Date October 4, 2017
 Description of Action Installation of the Sandy Plains Road Meter Vault.

Application No. 3013501WMP10, Minor Amendment.

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

[Township or Borough] East Bethlehem Township
 Responsible Official Timothy C. Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 PO Box 187
 Jefferson, PA 15344

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Sandy Plains Road Meter Vault bulk load-out facility.

Application No. 3017519MA, Minor Amendment.

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

[Township or Borough] Morgan Township
 Responsible Official Timothy C. Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 PO Box 187
 Jefferson, PA 15344

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Installation of the Mahle Meter Vault.

Application No. 3013501WMP11, Minor Amendment.

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

[Township or Borough] Morgan Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Mahle Meter Vault bulk load-out facility.

Application No. 3017520MA, Minor Amendment.

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

[Township or Borough] Washington Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Installation of the Harris Meter Vault.

Application No. 3017521MA, Minor Amendment.

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

[Township or Borough] Amwell Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Installation of the Hyel Meter Vault.

Application No. 3013501WMP12, Minor Amendment.

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

[Township or Borough] Center Township

Responsible Official Timothy C. Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
PO Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date October 4, 2017

Description of Action Huffman Meter Vault bulk load-out facility.

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
PREAMBLE 1**

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

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

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

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

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

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

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

FBF Incorporated, 1145 Industrial Boulevard, Upper Southampton, **Bucks County**. Philip Getty, Boucher & James, Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901 submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of TCE, PCE and organic chemicals. The proposed future use of the property will continue to be non-residential light industrial use as exists in the surrounding area. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on September 26, 2017.

Wawa Red Roof Carriage House, 260 West Baltimore Pike, Chester Height Borough, **Chester County**. Geoff Kristof, JK Environmental Services, P.O. Box 509, Lafayette Hill, PA 19444 submitted a Notice of Intent to Remediate. Soil on the site has been impacted with heavy oil (likely # 6 fuel oil). The proposed future use of the property will be non-residential as an office building. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on August 29, 2017.

Giordano Residence, 135 Ivy Hill Road, Bristol Township, **Bucks County**. Gregory Buzan, SSG-BARCO, Inc., 122 Walters Avenue, Ewing, NJ 08638 submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. All three properties are residential properties. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on September 25, 2017.

1400 Byberry Road Site, 1400 Byberry Road, Lower Moreland Township, **Montgomery County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., 4050 Skyrion Drive, Doylestown, PA 18902 on behalf of Michael A. Downs, Toll Brothers, Inc., 20 Gibraltar Road, Horsham, PA 19044 submitted a Notice of Intent to Remediate. Site soil have been found to be impacted with metals, pesticides, VOCs, and PAHs. The proposed future use of the property will be residential for home sites. The Notice of Intent to Remediate was published in the *Intelligencer* on September 18, 2017.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Erie Speed Check, 209 East 6th Street, City of Erie, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Sunny Simran, LLC, 1725 Parade Street, Erie, PA 16503 and QRS Realty Corporation, P.O. Box 1699, Erie, PA 16530, submitted a Notice of Intent to Remediate. Site formerly operated as gasoline and service stations. A release of gasoline compounds occurred impacting site soil and groundwater with benzene, ethylbenzene, cumene, MTBE, Naphthalene, toluene, 1,2,4 trimethylbenzene, 1,3,5 trimethylbenzene, and xylenes. Selected remediation standard is Statewide Health. Future use of the site short term is landscaped green space with no buildings or structures. The Notice of Intent to Remediate was published in *The Erie Times News* on or about October 2, 2017.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

RCRA Part B Permit No. PA6213820503. Letterkenny Army Depot (LEAD), 1 Overcash Drive, Chambersburg, PA 17201. LEAD has submitted a Class 2 Permit Modification application for the use of a flashing furnace to thermally treat outdated small arms munitions at LEAD's Open Burning/Open Detonation Area. On October 3, 2017, the Department determined that the permit application was administratively complete.

Persons interested in obtaining more information about this permit application may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. A copy of the permit application is available for review at Coyle Free Library, 340 North Second Street, Chambersburg, PA 17201. In addition, the public is invited to review the application at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability received under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit Application No. WMGR038SC008. Edge Rubber, LLC, 811 Progress Road, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**. This general permit authorizes the processing, reuse and beneficial use of waste tires, which include whole tires,

tire chips, baled tires, tire shreds, and crumb rubber. The permitted beneficial use of whole waste tires, tire chips, baled tires, tire shreds, and crumb rubber is limited to use in recapping, as fuel in boilers or other combustion units, in civil engineering practices, and as an ingredient in or as a commercial product. The application for Determination of Applicability was determined to be complete on October 10, 2017.

Persons interested in obtaining more information about the general permit application may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 101600. Waste Reduction Recycling & Transfer, Inc., 2100 Sans Souci Parkway, Wilkes-Barre, PA 18706. An application for major modification consisting of an increase in tonnage, ownership change and Form R application at this existing waste transfer facility located in Hanover Township, **Luzerne County**. The applicant is requesting an increase from 150 tons/day to 500 tons/day. The application was submitted to the Department on August 4, 2017 and was subject to the Local Municipality Involvement Process (LMIP). The LMIP meeting took place on October 4, 2017. The application was found to be administratively complete by the Northeast Regional Office on October 6, 2017.

Comments concerning the application should be directed to Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18704-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

24-167D: E Carbon America (806 Theresia Street, Saint Marys, PA 15857), for the proposed facility VOC limit to become a synthetic minor facility in Saint Marys City, **Elk County**. Currently, this is a Title V facility; however, after approval the facility will be State Only.

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

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

Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920.

46-0005AS: Merck, Sharp & Dohme, Corp. (770 Sumneytown Pike, West Point, PA 19486-0004) for the installation of a natural gas fired generator in Building 38 to upgrade the electric infrastructure and improve reliability in support of the operations in this building at an existing permitted facility in Upper Gwynedd Township, **Montgomery County**. The plan approval is for a Title V facility. The generator will result in the following tons/year air contaminants: VOC—2.46; NO_x—4.91; CO—9.82; SO_x—0.005; and PM/PM₁₀/PM_{2.5}—0.08. The installation of this source does not trigger applicability toward NSR or PSD regulations. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

15-0067I: Herr Foods Inc., (273 Old Baltimore Pike, Nottingham, PA 19362-0300) an application for the installation of two new natural gas fired batch kettle fryers and the shut down and removal of Potato Chip Line 2 (Source ID 201) fryer and heat exchanger at its facility in West Nottingham Township, **Chester County**. Herr Foods Inc. is a Synthetic Minor facility, operating under SMOP 15-00067. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

06-05036C: Approval of a Reasonably Available Control Technology (RACT II) plan for **Novipax, LLC**, located in Muhlenberg Township, **Berks County**, as a plan approval.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the expandable polystyrene foam products manufacturing facility owned and operated by Novipax, LLC in Muhlenberg Township, Berks County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if approved by DEP, are proposed be issued as a plan approval (06-05036C). The relevant RACT II requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval as a revision to Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

Source and RACT II Requirement

FACILITY-WIDE Limit to 650.0 tons VOC per year, based on any 12-consecutive month period.

102 - EXTRUSION

1) Reduce pentane use by CO₂ substitution as the blowing agent.

2) Interim Limits for extruders: 217, 222, 203, 260: (1/1/17—1/1/18)

- Foam (>8.0 g/60 in2)—4.1% by weight

3) Limits Starting 1/1/18 for extruders: 217, 222, 203, 260, 270, & 290:

Foam (>8.0 g/60 in2)—4.0% by weight

- Foam (<8.0 g/60 in2) —4.5% by weight

4) Extruder 250 (starting 57 weeks from the issuance date of Plan Approval No. 06-05036C)

- Foam (>8.0 g/60 in2)—4.0% by weight

- Foam (<8.0 g/60 in2) —4.5% by weight

103—OUTSIDE STORAGE See ID 102

104—THERMOFORM See ID 102

105—PRODUCT STORAGE/SHIPPING See ID 102

106—SCRAP & SPOILAGE GRIND/
CONVEYING See ID 102

106B—SPOILAGE GRINDING-CONV. See ID 102

106C—TRIM GRINDING-CONVEYING See ID 102

107—RECLAIM EXTRUSION See ID 102

108—FLUFF STORAGE-CONVEYING See ID 102

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Thomas Hanlon, Environmental Engineering Manager, Air Quality Permitting, at 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

Public hearing. A public hearing will be held on November 28, 2017, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Thomas Hanlon at 717-705-4862. Speakers must pre-register in order to testify at the

hearing. The last day to pre-register to speak at the hearing will be November 21, 2017.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Thomas Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Thomas Hanlon at 717-705-4862.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717-705-4862 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

16-132M: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254), for the proposed replacement of 5 existing baghouses (C104, C107, C110, C111, & C112) with new baghouses (C104A, C107A, C110A, C111A, & C112A) for Source 104, Source 107, Source 110, Source 111, & Source 112 and the proposed construction of a new outdoor chip storage area in Paint Township, **Clarion County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 16-132M is for the proposed replacement of 5 existing baghouses (C104, C107, C110, C111, & C112) with new baghouses (C104A, C107A, C110A, C111A, & C112A) for Source 104, Source 107, Source 110, Source 111, & Source 112 and the proposed construction of a new outdoor chip storage area. The projected actual emissions from Source 104 are 5.78 tpy for PM/PM₁₀/PM_{2.5} & 0.882 tpy for VOC; from Source 107 are 5.78 tpy for PM/PM₁₀/PM_{2.5} & 0.91 tpy for VOC; from Source 110 are 7.71 tpy for PM/PM₁₀/PM_{2.5} & 2.078 tpy for VOC; from Source 111 are 7.07 tpy for PM/PM₁₀/PM_{2.5} & 0.649 tpy for VOC; and from Source 112 are 7.07 tpy for PM/PM₁₀/PM_{2.5} & 0.58 tpy for VOC. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 104, Source 105, Source 110, Source 111, & Source 112

- Emissions shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor, and visible emissions respectively.

- No person may permit the emission into the outdoor atmosphere of particulate matter in a manner that the concentration of total particulate matter (both filter-

able and condensable) in the effluent gas exceeds 0.004 grain per dry standard cubic foot.

- Test for total particulate matter initially and upon operating permit renewal.

- All recordkeeping shall commence upon startup of the source/control device. All records shall be kept for a period of five (5) years and shall be made available to the Department upon request.

- The permittee shall maintain a record of all preventive maintenance inspections of the control device. These records shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.

- The permittee shall record the following operational data from the baghouse (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):

- Pressure differential—daily defined as once per calendar day

- Visible emission check—daily defined as once per calendar day

- The permittee shall perform a daily operational inspection of the control device. As part of this operational inspection the facility shall monitor the pressure drop across the baghouse and shall conduct a visible emission (VE) observation of the baghouse stack. The VE observation shall be 60 seconds in length with reading every 15 seconds. If any visible emissions are observed, the facility shall perform one of the following:

- A Method 9 observation using a certified observer (60 minutes in duration) shall be conducted to determine compliance with the opacity limitations—or

- The facility shall immediately commence shutdown of the source/control device in accordance with the Department approved shutdown procedure.

- The permittee shall perform a monthly preventive maintenance inspection of the control device.

- A magnehelic gauge or equivalent shall be maintained and operated to monitor the pressure differential across the baghouse. All gauges employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (+/- 2%) of full scale reading.

- The permittee shall adhere to the approved indicator range for the baghouse so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:

- Pressure drop: 1.0 to 7.0 inches water gage or as established during compliant testing

- Opacity less than or equal to 10%

- The permittee, with prior Departmental approval, may conduct additional performance tests to determine a new pressure drop range. Within 24-hours of discovery of a reading outside of the prescribed range the permittee shall perform a maintenance inspection on the control device and take corrective action. Records of all mainte-

nance inspections on the control device, and corrective actions taken, shall be maintained on site for a minimum period of five years. In the event of more than one documented excursion outside the prescribed range in any calendar quarter the permittee shall submit a corrective measure plan to the Department. Corrective measures may include an increase of the frequency of required preventative maintenance inspections of the control device, a modification of the prescribed range, or other appropriate action as approved by the Department. Upon receipt of a corrective measure plan the Department shall determine the appropriate corrective measure on a case-by case basis.

- The permittee shall operate the control device at all times that the source is in operation.

- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- All conditions from the facility operating permit revised on January 19, 2016, for this source remain in effect unless modified in this plan approval.

- Source 104

- Emissions shall not exceed the following:

- PM: 1.32 #/hr (both filterable and condensable)

- PM: 5.78 tpy (both filterable and condensable)

based on a 12-month rolling total

- PM₁₀: 1.32 #/hr

- PM₁₀: 5.78 tpy based on a 12-month rolling total

- PM_{2.5}: 1.32 #/hr

- PM_{2.5}: 5.78 tpy based on a 12-month rolling total

- The Projected Actual Emissions are the following:

- VOC: 0.882 tpy based on a 12-month consecutive

period

- Source 105

- Emissions shall not exceed the following:

- PM: 1.32 #/hr (both filterable and condensable)

- PM: 5.78 tpy (both filterable and condensable)

based on a 12-month rolling total

- PM₁₀: 1.32 #/hr

- PM₁₀: 5.78 tpy based on a 12-month rolling total

- PM_{2.5}: 1.32 #/hr

- PM_{2.5}: 5.78 tpy based on a 12-month rolling total

- The Projected Actual Emissions are the following:

- VOC: 0.910 tpy based on a 12-month consecutive

period

- Source 110

- Emissions from C110A shall not exceed the following:

- PM: 0.71 #/hr (both filterable and condensable)

- PM: 3.11 tpy (both filterable and condensable)

based on a 12-month rolling total

- PM₁₀: 0.71 #/hr

- PM₁₀: 3.11 tpy based on a 12-month rolling total

- PM_{2.5}: 0.71 #/hr

- PM_{2.5}: 3.11 tpy based on a 12-month rolling total

- Emissions from C110B shall not exceed the following:

- PM: 1.05 #/hr (both filterable and condensable)

- PM: 4.60 tpy (both filterable and condensable)

based on a 12-month rolling total

- PM₁₀: 1.05 #/hr

- PM₁₀: 4.60 tpy based on a 12-month rolling total

- PM_{2.5}: 1.05 #/hr

- PM_{2.5}: 4.60 tpy based on a 12-month rolling total

- The Projected Actual Emissions are the following:

- VOC: 2.078 tpy based on a 12-month consecutive period

- Source 111

- Emissions from Source 111 & Source 112 shall not exceed the following:

- PM: 3.23 #/hr (both filterable and condensable)

- PM: 7.07 tpy (both filterable and condensable)

based on a 12-month rolling total

- PM₁₀: 3.23 #/hr

- PM₁₀: 7.07 tpy based on a 12-month rolling total

- PM_{2.5}: 3.23 #/hr

- PM_{2.5}: 7.07 tpy based on a 12-month rolling total

- The Projected Actual Emissions from Source 111 & Source 112 are the following:

- VOC: 1.229 tpy based on a 12-month consecutive period

- Source 112

- Emissions from Source 112 & Source 111 shall not exceed the following:

- PM: 3.23 #/hr (both filterable and condensable)

- PM: 7.07 tpy (both filterable and condensable)

based on a 12-month rolling total

- PM₁₀: 3.23 #/hr

- PM₁₀: 7.07 tpy based on a 12-month rolling total

- PM_{2.5}: 3.23 #/hr

- PM_{2.5}: 7.07 tpy based on a 12-month rolling total

- The Projected Actual Emissions from Source 112 & Source 111 are the following:

- VOC: 1.229 tpy based on a 12-month consecutive period

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

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

comments, identification of the proposed plan approval [16-132M] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of t16-132M: Clarion Boards, Inc. (143 Fiberboard Road, Shippenville, PA 16254), for the proposed replacement of 5 existing baghouses (C104, C107, C110, C111, & C112) with new baghouses (C104A, C107A, C110A, C111A, & C112A) for Source 104, Source 107, Source 110, Source 111, & Source 112 and the proposed construction of a new outdoor chip storage area in Paint Township, Clarion County. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 16-132M is for the proposed replacement of 5 existing baghouses (C104, C107, C110, C111, & C112) with new baghouses (C104A, C107A, C110A, C111A, & C112A) for Source 104, Source 107, Source 110, Source 111, & Source 112 and the proposed construction of a new outdoor chip storage area. The projected actual emissions from Source 104 are 5.78 tpy for PM/PM₁₀/PM_{2.5} & 0.882 tpy for VOC; from Source 107 are 5.78 tpy for PM/PM₁₀/PM_{2.5} & 0.91 tpy for VOC; from Source 110 are 7.71 tpy for PM/PM₁₀/PM_{2.5} & 2.078 tpy for VOC; from Source 111 are 7.07 tpy for PM/PM₁₀/PM_{2.5} & 0.649 tpy for VOC; and from Source 112 are 7.07 tpy for PM/PM₁₀/PM_{2.5} & 0.58 tpy for VOC. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 104, Source 105, Source 110, Source 111, & Source 112
- Emissions shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor, and visible emissions respectively.
- No person may permit the emission into the outdoor atmosphere of particulate matter in a manner that the concentration of total particulate matter (both filterable and condensable) in the effluent gas exceeds 0.004 grain per dry standard cubic foot.
- Test for total particulate matter initially and upon operating permit renewal.
- All recordkeeping shall commence upon startup of the source/control device. All records shall be kept for a period of five (5) years and shall be made available to the Department upon request.
- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.

- The permittee shall record the following operational data from the baghouse (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):

- Pressure differential—daily defined as once per calendar day

- Visible emission check—daily defined as once per calendar day

- The permittee shall perform a daily operational inspection of the control device. As part of this operational inspection the facility shall monitor the pressure drop across the baghouse and shall conduct a visible emission (VE) observation of the baghouse stack. The VE observation shall be 60 seconds in length with reading every 15 seconds. If any visible emissions are observed, the facility shall perform one of the following:

- A Method 9 observation using a certified observer (60 minutes in duration) shall be conducted to determine compliance with the opacity limitations—or

- The facility shall immediately commence shutdown of the source/control device in accordance with the Department approved shutdown procedure.

- The permittee shall perform a monthly preventive maintenance inspection of the control device.

- A magnehelic gauge or equivalent shall be maintained and operated to monitor the pressure differential across the baghouse. All gauges employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (+/- 2%) of full scale reading.

- The permittee shall adhere to the approved indicator range for the baghouse so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:

- Pressure drop: 1.0 to 7.0 inches water gage or as established during compliant testing

- Opacity less than or equal to 10%

- The permittee, with prior Departmental approval, may conduct additional performance tests to determine a new pressure drop range. Within 24-hours of discovery of a reading outside of the prescribed range the permittee shall perform a maintenance inspection on the control device and take corrective action. Records of all maintenance inspections on the control device, and corrective actions taken, shall be maintained on site for a minimum period of five years. In the event of more than one documented excursion outside the prescribed range in any calendar quarter the permittee shall submit a corrective measure plan to the Department. Corrective measures may include an increase of the frequency of required preventative maintenance inspections of the control device, a modification of the prescribed range, or other appropriate action as approved by the Department. Upon receipt of a corrective measure plan the Department shall determine the appropriate corrective measure on a case-by case basis.

- The permittee shall operate the control device at all times that the source is in operation.

- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- All conditions from the facility operating permit revised on January 19, 2016, for this source remain in effect unless modified in this plan approval.

- Source 104
 - Emissions shall not exceed the following:
 - PM: 1.32 #/hr (both filterable and condensable)
 - PM: 5.78 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 1.32 #/hr
 - PM₁₀: 5.78 tpy based on a 12-month rolling total
 - PM_{2.5}: 1.32 #/hr
 - PM_{2.5}: 5.78 tpy based on a 12-month rolling total
 - The Projected Actual Emissions are the following:
 - VOC: 0.882 tpy based on a 12-month consecutive period
- Source 105
 - Emissions shall not exceed the following:
 - PM: 1.32 #/hr (both filterable and condensable)
 - PM: 5.78 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 1.32 #/hr
 - PM₁₀: 5.78 tpy based on a 12-month rolling total
 - PM_{2.5}: 1.32 #/hr
 - PM_{2.5}: 5.78 tpy based on a 12-month rolling total
 - The Projected Actual Emissions are the following:
 - VOC: 0.910 tpy based on a 12-month consecutive period
- Source 110
 - Emissions from C110A shall not exceed the following:
 - PM: 0.71 #/hr (both filterable and condensable)
 - PM: 3.11 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 0.71 #/hr
 - PM₁₀: 3.11 tpy based on a 12-month rolling total
 - PM_{2.5}: 0.71 #/hr
 - PM_{2.5}: 3.11 tpy based on a 12-month rolling total
 - Emissions from C110B shall not exceed the following:
 - PM: 1.05 #/hr (both filterable and condensable)
 - PM: 4.60 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 1.05 #/hr
 - PM₁₀: 4.60 tpy based on a 12-month rolling total
 - PM_{2.5}: 1.05 #/hr
 - PM_{2.5}: 4.60 tpy based on a 12-month rolling total
 - The Projected Actual Emissions are the following:
 - VOC: 2.078 tpy based on a 12-month consecutive period

- Source 111
 - Emissions from Source 111 & Source 112 shall not exceed the following:
 - PM: 3.23 #/hr (both filterable and condensable)
 - PM: 7.07 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 3.23 #/hr
 - PM₁₀: 7.07 tpy based on a 12-month rolling total
 - PM_{2.5}: 3.23 #/hr
 - PM_{2.5}: 7.07 tpy based on a 12-month rolling total
 - The Projected Actual Emissions from Source 111 & Source 112 are the following:
 - VOC: 1.229 tpy based on a 12-month consecutive period
- Source 112
 - Emissions from Source 112 & Source 111 shall not exceed the following:
 - PM: 3.23 #/hr (both filterable and condensable)
 - PM: 7.07 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 3.23 #/hr
 - PM₁₀: 7.07 tpy based on a 12-month rolling total
 - PM_{2.5}: 3.23 #/hr
 - PM_{2.5}: 7.07 tpy based on a 12-month rolling total
 - The Projected Actual Emissions from Source 112 & Source 111 are the following:
 - VOC: 1.229 tpy based on a 12-month consecutive period

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [16-132M] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits. The decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

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

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

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

AMS IP16-000225: (Philadelphia Energy Solution, 3144 Passyunk Ave, Philadelphia, PA 19145). The followings are the proposed project and modification;

- Installation of a permanent ammonia injection system on 868 Fluidized Catalytic Cracking Unit (FCCU) to reduce opacity in the flue gas.

- Modify 868 FCCU emission limits listed in Condition D.21(a)(1) of the Title V Operating Permit No. V06-016 to include new permit limits, correct language incorporated from Plan Approval No. 00184, and incorporate EPA policy on emission limit exemptions during start-up, shut-down, and malfunctions.

Total emission increase from this project will be 16.6 tons of ammonia per year.

The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Anyone affected by the proposed plan approval amendment may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. Comments received by facsimile will not be accepted.

AMS IP17-000074: (Philly Shipyard Inc—2100 Kitty Hawk Avenue, Philadelphia, PA 19112) for modification of painting operation by relocating a portion of the production that currently occurs within the dry dock to a new Paint Hall (P-29C) and to increase HAP and VOC limit from ship building operation;

- The modification includes;

- o Installation of a new Paint Hall (Paint Hall # 3, P-29C)

- o Installation of Dust Collector # 3, # 9 and # 10 to control emission from Abrasive Blasting operation,

- o Installation of 2 Space Heater each rated 3.97 MMBtu/hr, that fires Natural gas,

- o Increase Abrasive material throughput from 30,720 lb/hr to 46,080 lb/hr for Paint Hall Blasting Operation.

- Increase of Hazardous Air Pollutants (HAP) emissions limit from ship building operations from the facility except Building 763 from 72.1 tons to 121.0 tons per rolling twelve month period.

- Increase of Volatile Organic Compounds (VOC) emissions limit from Ship building operations from the facility except Building 763 from 154.0 tons to 174.9 tons per rolling twelve month period.

Total emission increase from this project is 24.07 tons of VOC, and 48.9 tons of HAP.

The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Anyone affected by the proposed plan approval may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. Comments received by facsimile will not be accepted.

AMS Plan Approval No. 11197: (James Abbott, Inc at 2105 E. Wishart St., Philadelphia PA 19134) AMS intends to modify the Plan Approval to remove non-applicable requirements to 40 CFR 63 Subpart N for trivalent chromium baths. The non-applicable requirements removed were recordkeeping requirements from section 40 CFR 63.346(b). Per 40 CFR 63.342(e), recordkeeping requirements for decorative chromium electroplating tanks using a trivalent chromium bath are 63.346(b)(14). The tanks are not subject to the work practice standards listed in 63.342(f). The removed conditions applied to differing types of tanks. The plan approval will contain work standard practices, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements. The Plan Approval was originally issued on 4/17/2012.

Anyone affected by the proposed plan approval may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. Comments received by facsimile will not be accepted.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a plan approval to Sapa Extrusions Inc to install low NO_x regenerative burners on melting furnace M7 at their facility located in Cressona Borough, **Schuylkill County**. The facility currently has a Title V **Operating Permit No. 54-00022**. Plan approval 54-00022C will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval 54-00022C is for the replacement of the existing 24.0 MMBtu burner with a new 22.5 MMBtu low

NO_x burner on Melter 7. NO_x emissions from Melter 7 will not exceed 0.135 lb NO_x/MMBtu. Total facility emissions shall not exceed the following limits during any consecutive a 12-month rolling period in tons per year: NO_x 99.9, CO 99.9, VOC 49.9, PM₁₀/PM_{2.5} 99.9, and SO₂ 99.9. NO_x emissions from Melter 7 will decrease by 9.1 TPY with the burner upgrade. The M7 melting furnace is subject to 40 CFR Part 63 Subpart RRR requirements. SAPA Extrusion is a major facility for HAPs emissions and is subject to Title V permitting requirements and is located in Cressona Borough, Schuylkill County. The plan approval will include all appropriate monitoring, record keeping, and reporting requirements designed to keep the equipment operating within all applicable air quality requirements. Further details on the conditions and the reasons for their inclusion are available upon request.

Copies of the applications, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. The submittal of written comment must contain the name, address and telephone number of the commentator, identification of the proposed Permit No. 54-00022C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Mr. Raymond Kempa, Chief, New Source Review Section, 2 Public Square, Wilkes-Barre, PA 18711, or 570-826-2511.

OPERATING PERMITS

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

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

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

46-00061: PA Dept. of Correction/Graterford SCI, (Route 29, Graterford, PA 19426) for the renewal of the Title V operating permit in Skippack Township, **Montgomery County**. The facility is a state correctional facility. Graterford SCI is a major source for Nitrogen Oxides (NO_x) emissions (NO_x emissions >25 tons per year). The sources at the facility include three coal-fired boilers, one oil-fired boiler, and three oil-fired emergency generators. The coal boilers are subject to 40 CFR Part 63 Subpart JJJJJJ. The oil boiler is subject to 40 CFR Part 60 Subpart Dc and Part 63 Subpart JJJJJJ. The emergency generators are subject to 40 CFR Part 63 Subpart ZZZZ. The permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05140: Valley Proteins Inc. (693 Wide Hollow Road, East Earl, PA 17519) for the rendering and boiler operations at the Terre Hill facility located in East Earl Township, **Lancaster County**. The Title V operating permit is undergoing a significant modification to incorporate changes to the facility's current monitoring approach in assuring minimum temperature requirements for the boilers being used for thermal treatment of non-condensable vapors. No changes in emissions are expected to occur from this modification. The Title V 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.

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

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-00269: American Tinning & Galvanizing Co. (552 West 12th St., Erie, PA 16501), the Department intends to issue a new Natural Minor Operating Permit to a plating and galvanizing facility located in the City of Erie, **Erie County**. Sources at the facility are the anodizing, barrel plating, rack plating, and galvanizing departments, two small natural gas-fueled boilers, and a primer tank. The four departments, each consisting of several tanks, are subject to requirements established through Plan Approval 25-269A. A number of tanks in the anodizing, barrel plating, and rack plating departments must comply with 40 CFR 63 Subpart WWWWWW pertaining to National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations. The tank performing chromium anodizing in the anodizing department must comply with 40 CFR 63 Subpart N, which pertains to National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. To be exempt from plan approval requirements, the primer tank is subject to a 2.7 TPY VOC restriction. The primer tank will comply with 25 Pa. Code § 129.52d (Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings) as opted by the facility pursuant to (a)(3) of this section.

33-00016: NAC Carbon Products, Inc. (Elk Run Ave, Punxsutawney, PA 15767). The Department intends to renew a State Only Natural Minor Operating Permit for the small diameter carbon product facility located in the borough of Punxsutawney, **Jefferson County**. The primary sources at the facility include a main and an auxiliary boiler for space heating, the grinding, screening, mixing, molding, baking, and graphitizing processes, and a solvent degreaser. Potential emissions are as follows: 35.17 TPY total suspended particulate, 0.91 TPY PM₁₀ and PM_{2.5}, 21.86 TPY NO_x, 10.03 TPY CO, 4.32 TPY

VOC, 0.07 TPY SO_x, and 20,880 TPY CO₂. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

OP17-000015: Chestnut Hill Hospital of Philadelphia (8835 Germantown Avenue, Philadelphia, PA 19118) for operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) 16.74 MMBtu/hr boiler burning natural gas and five (5) emergency generators burning No. 2 oil.

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.

N14-021: Lannett Company, Inc. (9000 State Rd/9001 Torresdale Ave, Philadelphia, PA 19136) for the operation of a pharmaceutical manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one (1) 1,100,000 Btu/hr natural gas boiler, one (1) 1,170,000 Btu/hr natural gas boiler, two (2) 4,200,000 Btu/hr natural gas boilers, eight (8) 160,000—3,450,000 Btu/hr natural gas air handling units, one 285,000 Btu/hr hot water heater, twelve (12) 270,000—540,000 Btu/hr natural gas air handling units, one (1) 300 kW Emergency Generator, one (1) 118 Horsepower Emergency Generator, eleven (11) Dust Collectors, IPA process to clean equipment, Lab Hoods, and Zachetta granulation process.

The operating permit will be reissued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew and revise the permit for the Bailey Mine & Prep Plant in Richhill, Aleppo, Gray Townships, **Greene County**, West Finley Township, **Washington County** and related NPDES Permit to delete subsidence control plan area and delete

70 HMR points from monitoring plan. Subsidence Control Plan Acres Proposed -3,524.44. No additional discharges. The application was considered administratively complete on October 4, 2017. Application received December 9, 2016.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 58100303C and NPDES No. PA0224871. Popple Construction, Inc., (215 East Saylor Avenue, Wilkes-Barre, PA 18702), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Rush Township, **Susquehanna County** affecting 158 acres, receiving stream: North Branch Wyalusing Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: September 28, 2017.

Noncoal Applications Withdrawn

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

Permit No. 58900303C6 and NPDES Permit No. PA0225305. Cecil Kilmer, (363 SR 374, Nicholson, PA 18446), correction to an existing quarry operation to include an NPDES Permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County**, receiving stream: Salt Lick Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: June 8, 2012. Application withdrawn: June 29, 2017.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91–96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0215228 (Mining Permit No. 32991301), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Nolo Deep Mine in Buffington Township, **Indiana County**. Receiving stream: UNT 44155 of Little Yellow Creek, classified for the following use: HQ-CWF. Receiving stream: Little Yellow Creek, classified for the following use: HQ-CWF. Receiving stream: UNT 44185 of Laurel Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on September 9, 2015. Application received November 26, 2014.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

Outfall 001 discharges to: UNT Little Yellow Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 33' 24" Long: 78° 58' 43") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)	-	-	-	Report
Iron (mg/l)	-	1.5	3.0	3.8
Manganese (mg/l)	-	1.0	2.0	2.5
Aluminum (mg/l)	-	0.75	0.75	-
Total Dissolved Solids (mg/l)	-	2,000	3,500	5,000
Chloride (mg/l)	-	-	-	Report
Sulfate (mg/l)	-	-	-	Report
Alkalinity, total as CaCO ₃ (mg/l)	-	-	-	Report
Acidity, total as CaCO ₃ (mg/l)	-	-	-	Report
Alkalinity, net (mg/l)	0.0	-	-	-
pH (mg/l)	6.0	-	-	9.0
Selenium (mg/l)	-	Report	Report	-
Osmotic Pressure (mOs/kg)	-	Report	Report	-
Total Suspended Solids (mg/l)	-	35	70	90
Dilution Ratio		6:1		

Outfall 002 discharges to: Little Yellow Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 33' 15" Long: 78° 58' 30") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Dissolved Solids	(mg/l)	-	500	750	1,250
Chloride	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
Alkalinity, total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	-
pH	(mg/l)	6.0	-	-	9.0
Selenium	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mOs/kg)	-	50	100	-
Total Suspended Solids	(mg/l)	-	35	70	90

Outfall 003 discharges to: Little Yellow Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 33' 13" Long: 78° 58' 39") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Dissolved Solids	(mg/l)	-	2,000	3,500	5,000
Chloride	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Alkalinity, total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	-
pH	(mg/l)	6.0	-	-	9.0
Selenium	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mOs/kg)	-	Report	Report	-
Total Suspended Solids	(mg/l)	-	35	70	90
Dilution Ratio			6:1		

Outfall 004 discharges to: Little Yellow Creek

The proposed effluent limits for *Outfall 004* (Lat: 40° 33' 15" Long: 78° 58' 30") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Dissolved Solids	(mg/l)	-	2,000	3,500	5,000
Chloride	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Alkalinity, total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	-
pH	(mg/l)	6.0	-	-	9.0
Selenium	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mOs/kg)	-	Report	Report	-
Total Suspended Solids	(mg/l)	-	35	70	90
Dilution Ratio			6:1		

Outfall 007 discharges to: UNT Laurel Run

The proposed effluent limits for *Outfall 007* (Lat: 40° 38' 48" Long: 78° 58' 34") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum	(mg/l)	-	0.75	0.75	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Alkalinity, total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	-
pH	(mg/l)	6.0	-	-	9.0
Selenium	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mOs/kg)	-	50	100	-
Total Suspended Solids	(mg/l)	-	35	70	90

Outfall 008 discharges to: UNT Laurel Run

The proposed effluent limits for *Outfall 008* (Lat: 40° 33' 31" Long: 78° 59' 26") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Dissolved Solids	(mg/l)	-	2,000	4,000	5,000
Chloride	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Alkalinity, total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	-
pH	(mg/l)	6.0	-	-	9.0
Silver	(mg/l)	-	Report	Report	-
Selenium	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mOs/kg)	-	50	100	-
Total Suspended Solids	(mg/l)	-	35	70	90

EPA Waiver not in effect.

NPDES No. PA0213721 (Mining Permit No. 56841608), PBS Coals, Inc., (P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541). A renewal to the NPDES and mining activity permit for the Cambria Fuel Preparation Plant in Stonycreek Township, **Somerset County**. Receiving stream: Schrock Run, classified for the following use: CWF. Receiving stream: UNT 64154 to Schrock Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on January 5, 2017. Application received May 16, 2016.

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: Schrock Run

The proposed effluent limits for *Outfall 001* (Lat: 39° 59' 54" Long: 78° 57' 14") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Osmotic Pressure	(mos/kg)	-	50	100	-
Alkalinity, as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity Net, as CaCO ₃	(mg/l)	0.0	-	-	-
pH	(S.U.)	6.0	-	-	9.0
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Silver	(mg/l)	-	Report	Report	-
Copper	(mg/l)	-	Report	Report	-

Outfall 002 discharges to: Schrock Run

The proposed effluent limits for *Outfall 002* (Lat: 39° 59' 58" Long: 78° 57' 10") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Osmotic Pressure	(mos/kg)	-	50	100	-
Alkalinity, as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity Net, as CaCO ₃	(mg/l)	0.0	-	-	-
pH	(S.U.)	6.0	-	-	9.0
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Silver	(mg/l)	-	Report	Report	-

Outfall 003 discharges to: Unnamed Tributary 64154 to Schrock Run

The proposed effluent limits for *Outfall 003* (Lat: 39° 59' 50" Long: 78° 56' 42") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Osmotic Pressure	(mos/kg)	-	50	100	-
Alkalinity, as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity Net, as CaCO ₃	(mg/l)	0.0	-	-	-
pH	(S.U.)	6.0	-	-	9.0
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Silver	(mg/l)	-	Report	Report	-
Selenium	(mg/l)	-	Report	Report	-
Thallium	(mg/l)	-	Report	Report	-

EPA Waiver not in effect.

NPDES No. PA0215775 (Mining Permit No. 56773707), PBS Coals, Inc., (P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541.) A renewal to the NPDES and mining activity permit for the Cambria Fuel Refuse Disposal Area in Stonycreek Township, **Somerset County**. Receiving stream: Glades Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh TMDL. The application was considered administratively complete on April 27, 2016. Application received October 30, 2015.

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: Glades Creek

The proposed effluent limits for *Outfall 001* (Lat: 39° 59' 13" Long: 78° 57' 13") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	1.2	-
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	1.0	1.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	50	100	-
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO ₃	(mg/l)	-	-	-	-
Acidity, as CaCO ₃	(mg/l)	-	-	-	-
Alkalinity, Net	(mg/l)	0.0	-	-	-

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Cadmium	(mg/l)	-	Report	Report	-
Mercury	(mg/l)	-	Report	Report	-
Nickel	(mg/l)	-	Report	Report	-
Zinc	(mg/l)	-	Report	Report	-

EPA Waiver not in effect.

NPDES No. PA023521 (Mining Permit No. 32011302), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Gillhouser Run Deep Mine in Buffington and Brush Townships, **Indiana County**. Receiving stream: Little Yellow Creek, classified for the following use: HQ-WWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on August 12, 2013. Application received June 14, 2013.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

Outfall 001 discharges to: Little Yellow Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 32' 58" Long: 78° 59' 31") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-			Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	3.0
Aluminum	(mg/l)	-	0.75	0.75	-
Sulfate	(mg/l)	-	1,400	2,800	-
Chloride	(mg/l)	-			Report
Osmotic Pressure	(mos/kg)	-	Report	Report	
Total Dissolved Solids	(mg/l)	-	2,000	4,000	-
Alkalinity, as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	
pH	(S.U.)	6.0	-	-	9.0
Dilution Ratio			6:1		

Outfall 002 discharges to: Little Yellow Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 32' 55" Long: 78° 59' 41") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-			Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	3.0
Aluminum	(mg/l)	-	0.75	0.75	-
Sulfate	(mg/l)	-	1,400	2,800	-
Chloride	(mg/l)	-			Report
Osmotic Pressure	(mos/kg)	-	Report	Report	
Total Dissolved Solids	(mg/l)	-	2,000	4,000	-
Alkalinity, as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	
pH	(S.U.)	6.0	-	-	9.0
Dilution Ratio			6:1		

Outfall 003 discharges to: Little Yellow Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 32' 56" Long: 78° 59' 51") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-			Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.5	0.75	-
Sulfate	(mg/l)	-	250	500	-
Osmotic Pressure	(mos/kg)	-	50	100	125
Total Dissolved Solids	(mg/l)	-	500	750	-

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO ₃	(mg/l)	20	-	-	Report
Acidity, as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, net	(mg/l)	0.0	-	-	-
Copper	(mg/l)	-	0.015	0.030	-
Nickel	(mg/l)	-	Report	Report	-
Zinc	(mg/l)	-	Report	Report	-
Dilution Ratio			6:1		

EPA Waiver not in effect.

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

NPDES PA0243221 (Mining permit no. 17020103), River Hill Coal Company, Inc., P.O. Box 141, Kylertown, PA 16847, renewal of an NPDES permit for bituminous coal surface and auger mining in Chest and Ferguson Townships, **Clearfield County** affecting 560.7 acres. Receiving stream(s): McMasters Run and Wilson Run, classified for the following use(s): CWF. Chest Creek Sediment TMDL. Application received: August 10, 2017.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to Wilson Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
005	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 ¹ (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)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

NPDES No. PA 0200590 (Mining permit no. 3473SM8), M.B. Energy Inc., 175 McKnight Road, Blairsville, PA 15717, Renewal NPDES permit for bituminous surface mine in Derry Township, **Westmoreland County**, affecting 391 acres. Receiving streams: Unnamed Tributaries 1 and 2 to Loyalhanna Creek, classified for the following use: WWF. The receiving streams are included in the Kiskiminetas-Conemaugh River Watersheds TMDL. Application received: July 28, 2017. This permit is also being transferred from North Cambria Fuel Company to M.B. Energy Inc.

The treated wastewater outfall(s) listed below discharge to: Unnamed Tributaries to Loyalhanna Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	MDT
003	N	MDT

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

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

NPDES Permit No. PA0225011 on Underground Mining Permit No. 54111301. Little Buck Coal Company, (57 Lincoln Road, Pine Grove, PA 17963), renewal of an NPDES Permit for an anthracite underground mine operation in Tremont Township, **Schuylkill County**, affecting 1.5 surface acres and 20.0 subsurface acres. Receiving stream: Stumps Run, classified for the following uses: cold water and migratory fishes. Application received: February 6, 2017.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit area the BAT limits described above for mining activities.

The outfalls listed below discharge to Stumps Run:

<i>Outfall</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	No	Mine Drainage Treatment
002	No	Stormwater

The proposed effluent limits for the above listed outfall.

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.0	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	1.5	1.9
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

Noncoal NPDES Draft Permits

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

NPDES No. PA0259730 (Permit No. 3076SM4). Conneaut Lake Sand & Gravel, Inc. (P.O. Box 233, West Middlesex, PA 16159) New NPDES permit for a large industrial minerals surface mine in Sadsbury Township, **Crawford County**, affecting 107.0 acres. Receiving streams: Unnamed tributary to Conneaut Lake, classified for the following uses: HQ-CWF. TMDL: None. Application received: September 5, 2017.

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 tributary to Conneaut Lake:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (ml/l)				35
Total Settleable Solids (ml/l)				0.5

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Renewed NPDES permit for a noncoal surface mine in Jefferson Township, **Fayette County**, affecting 16.6 acres. Receiving stream(s): unnamed tributaries to Little Redstone Creek, classified for the following use(s): WWF. Application received: June 29, 2015.

The treated wastewater outfall(s) listed below discharge to unnamed tributaries to Little Redstone Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002 (TF A)	N	MDT

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Copper (mg/l)	0.009	0.018	0.0225
Total Silver (mg/l)	0.0032	0.0064	0.008
Total Suspended Solids (mg/l)	35	70	90
Total Cadmuim (mg/l)		Monitor and Report	
Sulfates		Monitor and Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The stormwater outfall(s) listed below discharge to unnamed tributaries to Little Redstone Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001 (SB 1)	N	SW

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Copper (mg/l)	0.009	0.018	0.0225
Total Silver (mg/l)	0.0032	0.0064	0.008
Total Suspended Solids (mg/l)	35	70	90
Total Cadmuim (mg/l)		Monitor and Report	
Sulfates		Monitor and Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E51-278. Independence Seaport Museum, 211 S. Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To operate and maintain the existing floating dock facility and to construct and maintain a 5,030 SF of floating dock in and along the 100-year floodway of the Delaware River associated with 7- (12 inch) steel piles for anchoring.

The site is located at 211 South Columbus Boulevard. (Philadelphia, PA NJ, USGS map Lat: 39.945243 N; Long. -75.140569 W).

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E28-392: DCNR, Bureau of Facility Design and Construction, 8th Floor, 400 Market Street, Harrisburg, Pennsylvania 17101 in Lurgan Township, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain a 35.67 foot long, 22.25 foot wide, pre-stressed concrete box beam bridge with an underclearance of 4.83 feet, concrete abutments, and guide rail over Trout Run (EV, MF) (Latitude: 40°7'58", Longitude: -77°40'33"). No wetlands will be impacted by the project.

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

E57-133. Cherry Township, 11961 Route 87, Dushore, PA 18614-7440, Cherry Township, **Sullivan County**, U.S. Army Corps of Engineers, Baltimore District.

The applicant is proposing to install a dry hydrant within the stream corridor of Birch Creek located in the municipality of Mildred, Sullivan County, PA. A dry hydrant is a non-pressurized pipe installed in close proximity to an access location that is maintained year round. The dry hydrant will allow the extraction of water from Birch Creek for times of fire emergency within the borough. The dry hydrant will consist of a horizontal 8" PVC pipe that will extend into the stream channel of Birch Creek and a vertical 8" PVC riser pipe will extend above ground at the berm of borough property off of State Route 487 in Mildred, PA.

The project is located at Quadrangle, Latitude: 41° 28' 38.5378" N, Longitude: -76° 22' 42.443" W.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1764, Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17057-7676, South Fayette Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Place and maintain fill in 1,191 LF of an Unnamed Tributary (UNT) to Coal Run (aka UNT 15 Coal Run) (WWF);
2. Place and maintain fill in 363 LF of an UNT to Coal Run (aka C2-1 UNT H Coal Run) (WWF);
3. Place and maintain fill in 28 LF of an UNT to Coal Run (aka C2-1 UNT D Coal Run) (WWF);
4. Place and maintain fill in 46 LF of an UNT to Coal Run (aka C2-1 UNT C Coal Run) (WWF);
5. Place and maintain fill in 127 LF of an UNT to Coal Run (aka C2-1 UNT B Coal Run) (WWF);
6. Place and maintain fill in 514 LF of an UNT to Coal Run (aka C2-1 UNT A Coal Run) (WWF);
7. Place and maintain fill in 89 LF of an UNT to Chartiers Creek (aka C2-1 UNT J) (WWF);
8. Place and maintain fill in 22 LF of an UNT to Chartiers Creek (aka UNT 5 Chartiers) (WWF);
9. Place and maintain fill in 222 LF of an UNT to Chartiers Creek (aka UNT 4 Chartiers) (WWF);
10. Place and maintain fill in 0.835 acre of PEM wetland in the Coal Run and Chartiers Creek watersheds (WWF);
11. Install and maintain road associated stormwater facilities and outfalls in the Coal Run and Chartiers Creek watersheds (WWF);
12. Place and maintain fill in 11.12 acres of floodplain in the Coal Run and Chartiers Creek watersheds (WWF).

In association with the construction of a new section (55C2-1) of the Pennsylvania Turnpike, as a component of the overall construction of a new 13.3-mile section (aka The Southern Beltway Project) of the Pennsylvania Turn-

pike, between U.S. Route 22, and Interstate 79 (a.k.a. The Southern Beltway Project). The structures and activities requiring authorizing for Section 55C2-1 in South Fayette Township, Allegheny County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 19' 43.62" Longitude: -80° 09' 25.06"; and ending at Latitude: 40° 18' 15.11", Longitude: -80° 08' 56.74") will permanently impact a total of approximately 2,602 linear feet (LF) of various watercourses, resulting in a permanent loss of 2,602 LF of regulated watercourses and 0.835 acre of wetland, and temporarily impact a total of approximately 504 LF of various watercourse.

To compensate for the watercourse impacts associated with Section 55C2-1 of the Southern Beltway Project, the stream mitigation plan includes on-site relocation, and restoration of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 53" Longitude: -80° 26' 19"). Although final plans for future projects are not available, the applicant estimates that the total impacts resulting from all of the subprojects associated with the Southern Beltway Project will permanently affect a cumulative total of approximately 7.885 acres wetlands. As compensation for these wetland impacts, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

E63-703, Maronda Homes, Inc., 1383 State Route 30, Clinton, PA 15026, North Strabane Township, **Washington County**, Pittsburgh ACOE District.

The applicant proposes to:

Construct and maintain an 80' × 2' culvert in a UNT to Chartiers Creek (aka UNT-2) (WWF), and a 120' × 5' culvert in another UNT to Chartiers Creek (WWF) to facilitate access to a proposed 167-lot single family home subdivision. The site will also include associated roadways, utilities, storm water management facilities, and all other necessary appurtenances. The project is located on the south side of SR 519, across from Canonsburg Hospital (Washington East PA, USGS Topographic Quadrangle; Latitude 40° 14' 17", Longitude -80° 11' 40", Sub-basin 20F, Army Corp of Engineers Pittsburgh District) in North Strabane Township, Washington County.

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 AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217964 (Sewage)	K Vays STP 2271 Mars Hill Road Irwin, PA 15642-4972	Westmoreland County Sewickley Township	Unnamed Tributary of Little Sewickley Creek (19-D)	Yes
PA0090557 (Sewage)	Beaver Valley Nursing & Rehab Center STP 257 Georgetown Road Beaver Falls, PA 15010-9740	Beaver County South Beaver Township	Unnamed Tributary of North Fork Little Beaver Creek (20-B)	Yes
PA0092550 (Sewage)	Bradys Bend STP 697 State Route 68 East Brady, PA 16028-2817	Armstrong County Bradys Bend Township	Sugar Creek (17-C)	Yes
PA0094404 (Sewage)	Antiochian Village Camp & Conference Center STP 140 Church Camp Trail Bolivar, PA 15923-2512	Westmoreland County Fairfield Township	Unnamed Tributary of Hendricks Creek (18-D)	Yes

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0051993 (Sewage)	Albeth Realty, LLC 1177 Sixth Street Whitehall, PA 18052	Bucks County Richland Township	Unnamed Tributary to Tohickon Creek 2-D	Y
PA0056511 (Sewage)	Mr. Barry Eves 47 Bishop Road Pottstown, PA 19465-8218	Chester County East Coventry Township	Unnamed Tributary to Pigeon Creek 3-D	Y
PA0043966 (Sewage)	Valley Forge Group, LP Newbury Management Company 31200 Northwestern Highway Farmington Hills, MI 48334	Montgomery County Lower Providence Twp	Unnamed Tributary to Schuylkill River 3-F	Y
PA0050482 (Sewage)	Freedoms Foundation at Valley Forge 1601 Valley Forge Road Valley Forge, PA 19482	Chester County Schuylkill Township	Jug Hollow 3-F	Y

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061905 (Sewage)	Hickory Run Turnpike Plaza PO Box 8 Middletown, PA 17057-0008	Carbon County Penn Forest Township	Stony Creek (2-B)	Yes
PAS232207 (Storm Water)	Gellner Industrial, LLC PO Box 208 Tamaqua, PA 18252-0208	Schuylkill County Rush Township	Unnamed Tributary of Nesquehoning Creek (2-B)	Yes
PAS232212 (Stormwater)	Piramal Critical Care 3950 Schelden Circle Bethlehem, PA 18017	Northampton County Hanover Township	Unnamed Tributary to Monocacy Creek (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080799 SEW	Newburg Hopewell Township Authority PO Box 128 Newburg, PA 17240-0128	Hopewell Township Cumberland County	Newburg Run in Watershed(s) 7-B	N
PA0086291 IW	Texas Eastern Transmission LP 5400 Westheimer Court Houston, TX 77056-5310	Lack Township Juniata County	UNT to Lick Run in Watershed(s) 12-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0033031 (Industrial)	Pymatuning State Park 2660 Williamsfield Road Jamestown, PA 16134	Crawford County North Shenango Township	Shenango River (20-A)	Yes
PA0005762 (Industrial)	Electralloy 175 Main Street Oil City, PA 16301-1038	Venango County Oil City	Allegheny River (16-E)	Yes
PA0240052 (Sewage)	Renea Bailey SFTF 22980 Old Plank Road Venango, PA 16440	Crawford County Venango Township	French Creek (16-A)	Yes
PA0022608 (Industrial)	Molded Fiber Glass Tray 6175 Us Highway 6 Linesville, PA 16424-5921	Crawford County Pine Township	Unnamed Tributary of Crooked Creek (20-A)	Yes
PA0032727 (Sewage)	PA DOT Rest Area 21 Bureau Of Maintenance & Operation 400 North Street Harrisburg, PA 17120	Venango County Irwin Township	East Branch Wolf Creek (20-C)	Yes
PA0032778 (Sewage)	PA DOT Rest Area 22 Bureau Of Maintenance & Operation 400 North Street Harrisburg, PA 17120	Venango County Irwin Township	Unnamed Tributary to Scrubgrass Creek (16-G)	Yes

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

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

NPDES Permit No. PA0070386, Sewage, SIC Code 4952, **Shenandoah Municipal Sewer Authority Schuylkill County**, 15 W Washington Street, Shenandoah, PA 17976-1708.

This existing facility is located in Shenandoah Borough, **Schuylkill County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Renewal for an existing discharge of treated Sewage.

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

NPDES Permit No. PA0265195, Sewage, SIC Code 8800, **Elsie Miller**, 9690 Fillinger Road, Erie, PA 16410.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0104426, Industrial, SIC Code 4941, **Corner Water Supply & Service Corp**, 113 Oakwood Lane, Shippenville, PA 16254-8614.

This existing facility is located in Elk Township, **Clarion County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial waste.

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

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

WQM Permit No. WQG02021703, Sewage, **TC NE Metro Development Inc.**, 600 Grant Street, Pittsburgh, PA 15219-6115.

This proposed facility is in City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Relocation of and improvements to the existing sanitary sewer at corner of East Carson Street and Smithfield Street.

WQM Permit No. 6517401, Sewage, **Pilot Travel Center LLC**, 5508 Lonas Drive, Knoxville, TN 37909-3221.

This proposed facility is located in South Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Replace STP.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No WQG010002, Sewage, Transfer, **Byard & Kerry Bridge**, 226 River Road, Gladwynne, PA 19035-1240.

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

Description of Action/Activity: Transfer of ownership from Franklin Gainor to Byard Bridge with continued operation of a small flow sewage treatment plant.

WQM Permit No. 2393402, Sewage, Transfer, **Maureen Diluzio**, 25 Old Orchard Lane, Chadds Ford, PA 19317.

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

Description of Action/Activity: Transfer of ownership from Herbert Keating to Maureen Diluzio and continued operation of a single residence sewage treatment plant.

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

WQM Permit No. 4017403, Sewage, SIC Code 4939, **Aqua Pennsylvania Wastewater, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in White Haven Borough, **Luzerne County**.

Description of Proposed Action/Activity: The project is for a sewer extension from proposed Manhole 96A (near the eastern end of Allegheny Street) to existing Manhole 48 (near the southern end of Main Street) to reduce sanitary sewer overflows in the collection system during wet weather events. Manhole 96A will be placed on the 8-inch terra cotta sewer line that runs between Manhole 96 and Manhole 97. The approximate length of the 8-inch diameter ductile iron extension is 135 feet.

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

WQM Permit No. 2517406, Sewage, **Elsie Miller**, 9690 Fillinger Road, Erie, PA 16410.

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

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

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD400007	Landview Properties, LLC c/o James Comes, President 277 Locust Street Suite A Dover, NH 03820	Luzerne County	Dallas Township	Bowman Creek (HQ-CWF, MF) Toby Creek (CWF, MF)
PAD480021	Plenary Walsh Keystone Partners c/o Mr. Edward Dice 2000 Cliff Mine Road Park West Two 3rd Floor Pittsburgh, PA 15275	Northampton	Bethlehem Township	UNT to Bushkill Creek (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520003	Lehman Township 193 Municipal Drive Bushkill, PA 18324	Pike	Lehman Township	Saw Creek (HQ-CWF, MF)

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager; 412-442-4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD030001	Rayburn Township Joint Municipal Authority P.O. Box 776 Kittanning, PA 16201	Armstrong County	Rayburn Township	Pine Creek (HQ-WWF) Hays Run (WWF)
PAD300001	Southwestern Pennsylvania Water Authority P.O. Box 187 1442 Jefferson Road Jefferson, PA 15344	Greene County	Center Township	UNT to McCourtney Run (HQ-WWF); Hoge Run (HQ-WWF); House Run (HQ-WWF)
PAD630012	Gregg, Inc. 1790 Route 136 Eighty Four, PA 15330	Washington County	Somerset Township	Little Chartiers Creek (HQ-WWF)
PAI050216006	TC NE Metro Development, Inc. 600 Grant Street US Steel Suite 4800 Pittsburgh, PA 15219	Allegheny County	City of Pittsburgh	Monongahela River (WWF)

Central Office: Bureau of Clean Water, 400 Market Street, PO Box 8774, Harrisburg, PA 17105-8774.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360001	206 Rohrerstown Road LP 2450 Marietta Avenue Lancaster, PA 17601	Lancaster	East Hempfield Township	Brubaker Run (WWF, MF)

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 Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02**Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Kingston Borough	PAC400023	Geisinger Clinic William Gladish 100 N. Academy Ave. Danville, PA 17822	Unnamed Tributary to Susquehanna River (CWF, MF)	Luzerne Conservation District 570-674-7991
Pittston Township Dupont Borough Avoca Borough Luzerne County	PAC400032	Bi-County Board of Commissioners Stephen Mykulyn 100 Terminal Dr. Avoca, PA 18641	Lidy Creek (CWF, MF) Mill Creek (CWF, MF) Spring Brook (CWF, MF) Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086 Luzerne Conservation District 570-674-7991
Moosic Borough Lackawanna County				
Lehigh Township	PAC480031	Estate of Franklin Thomas Scott 3591 Spruce Dr. Northampton, PA 18067	Hokendauqua Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Cass Township	PAC540014	Tyson Foods 2231 W. MLK Fayetteville, AR 72701	Dyer Run (CWF, MF)	Schuylkill County Conservation District 570-622-3742

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Mount Joy, Mount Pleasant and Germany Townships Issued	PAC010037	Nancy-Lee H. Coombs 86 Roberts Road Littlestown, PA 17340	Alloway Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Birdsboro Borough Berks County Issued	PAC060064	MB Investments 2650 Audubon Road Audubon, PA 19403	Hay Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710
City of Harrisburg Dauphin County Issued	PAC220048	Hamilton Health Center 110 South 17th Street Harrisburg, PA 17104	Paxton Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921-8100
Reed Township Dauphin County Issued	PAC220049	M&G Realty, Inc. 2295 Susquehanna Trail S-C York, PA 17404	Juniata River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921-8100
Penn Township Lancaster County	PAC360076	Carl Myer 292 Elm Road Lititz, PA 17543	UNT Chiques Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149

NOTICES

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Manheim Township Lancaster County Issued	PAC360078	Robert Fryer 30 Eshelman Road Lancaster, PA 17601	Landis Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149
Upper Leacock Township Lancaster County Issued	PAC360099	PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	UNT Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149
West Lampeter Township Lancaster County Issued	PAC360104	John Baker 212 Peach Bottom Road Willow Street, PA 17584	Mill Creek Watershed to Big Spring Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149
Lancaster City Lancaster County Issued	PAC360122	Caldwell, Heckles and Egan, Inc. 1270 Grofftown Road Lancaster, PA 17602	Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149
Howe Township Perry County Issued	PAC500006	Newport Assembly of God 253 North 6th Street Newport, PA 17074	UNT Juniata River (WWF)	Perry County Conservation District 31 West Main Street PO Box 36 New Bloomfield, PA 17068 717.582.8988
Union Township Mifflin County Issued	PAC440004	Valley View Haven 4702 Main Street Belleville, PA 17004	UNT Kishacoquillas Creek (CWF)	Mifflin County Conservation District 20 Windmill Hill Suite 4 Burnham, PA 17009-1837 717.248.4695

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Burlington Twp Bradford Cnty	PAC080011	Bruce King 1417 Peters Road Troy, PA 16947	UNT to Sugar Creek—TSF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd, Ste E Towanda, PA 18848 (570) 265-5539, X 6
Town of Bloomsburg Columbia Cnty	PAC190008	Bloomsburg Waller Building Centennial Parking Bloomsburg, PA 17815	UNT to Susquehanna River	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Mahoning Twp Montour Cnty	PAC470006	Danko Holdings, LP 1500 Sycamore Road Montoursville, PA 17754	Sechler Run—CWF	Montour County Conservation District 14 E Mahoning St Danville, PA 17821 (570) 271-1140

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Stowe Township	PAC020104	Pittsburgh Curling Club P.O. Box 16095 Pittsburgh, PA 15242	Ohio River (WWF) Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
West Mifflin Borough	PAC020111	Speedway, LLC 500 Speedway Drive Enon, OH 45323	UNT to Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020015	Imperial Industrial Park, LLC	UNT to North Branch Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
South Strabane Township	PAC630049	Presbyterian Senior Care 1215 Hulton Road Oakmont, PA 15139	Catfish Creek (WWF) UNT to Catfish Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Franklin Township	PAC630057	Trinity Area School District 231 Park Avenue Washington, PA 15301	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Pymatuning Township Mercer County	PAC430017	Greenville DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Big Run WWF	Mercer County Conservation District 747 Greenville Road Mercer, PA 16137 724-662-2242
Summit Township Erie County	PAC250031	Bianchi Honda, Inc. 8430 Peach Street Erie, PA 16509	UNT Walnut Creek CWF-MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 817-825-6403

NOTICES

6539

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG030065	Custom Processing Services 461 State Street East Greenville, PA 18041	Unnamed Tributary to Perkiomen Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
PAG036195	Durham School Service LP 2601 Navistar Drive Lisle, IL 60532	Peters Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-4

*Facility Location
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG040123 A-1	Mr. Gene Horchak 2368 Schaffer Road Pottstown, PA 19464	Sanatoga Creek 3-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
PAG040045A-1	Evan & Sandi Levow 531 Conshohocken State Rd Gladwyne, PA 19035-1423	Unnamed Tributary to Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
PAG040221	Byard & Kerry Bridge 226 River Road Gladwyne, PA 19035-1240	Unnamed Tributary to Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
PAG040219	Maureen Diluzio 25 Old Orchard Lane Chadds Ford, PA 19317	Unnamed Tributary to Wilson Run 3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-12

*Facility Location &
Municipality*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG123637	Jay L Bleacher 1173 Breneman Road Conestoga, PA 17516-9307	Watershed 7-J	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
PAG123630	Springfield Manor Farm, LLC 3241 Blue Rock Road Lancaster, PA 17603-9773	Watershed 7-J	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
PAG123631	Hillside Acres Farm 335 Dotterer Road Lenhartsville, PA 19534-9501	Watershed 3-B	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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

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

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

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

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

**CAFO NMP
PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval/Disapproval)**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Lamar Harnish Hickory Hollow Farm LLC 491 Barnsley Road Oxford, PA 19363-4105	Chester	1,000	620.25	Swine	NA	Approved

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Todd Chestnut 910 Bridgewater Road Newville, PA 17241	Cumberland	961.9	1,063.79	Swine Beef Chickens	NA	Approved
Carsonville Farm, LP 2716 Powell Valley Rd Halifax, PA 17032	Dauphin	1	571.98	Poultry and Swine	NA	Approved
Philip Reisinger 315 Greens Valley Run Landisburg, PA 17040	Perry	0	360	Layer	Green Valley Run EV	Approved
Hickory Lane Farms 230 Clarks Run Road Blain, PA 17006	Perry	528	1,328.2	Swine	Shermans Creek HQ	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also

available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

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

Operations Permit # 0917514 issued to **Oldcastle Precast**, 200 Keystone Drive, Telford, PA 18969, (PWS ID # 1090321), Hilltown Township, **Bucks County** on September 28, 2017 for the operation of Arsenic Treatment for Well No. 2 facilities approved under construction permit # 0917514.

Operations Permit # 1517505 issued to **Nottingham Inn**, 190 Baltimore Pike, Nottingham, PA 19362, (PWS ID # 1150427), West Nottingham Township, **Chester County** on October 4, 2017 for the operation of New Nitrate Treatment and UV Disinfection at Well No. 2. facilities approved under construction permit # 1517505.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit No. 2520056, Operation Permit, Public Water Supply.

Applicant	Pennsylvania American Water Company (All Seasons Water System) 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Delaware Township
County	Pike
Type of Facility	PWS
Consulting Engineer	Peter J. Keenan, P.E. American Water Service Company 1025 Laurel Oak Road Voorhees, NJ 08043
Permit to Operate Issued	October 5, 2017

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 0617506 MA, Minor Amendment, Public Water Supply.

Applicant	Giorgio Fresh Company
Municipality	Maidencreek Township
County	Berks
Responsible Official	

Type of Facility

Giorgio Fresh Company has submitted a permit application for the installation of contact piping in order to provide 4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 and 2).

Consulting Engineer

Darryl A. Jenkins, P.E.
SSM Group
1047 N Park Rd
Reading, PA 19610

Permit to Construct Issued

10/3/2017

Operation Permit No. 3060038 issued to: **Muhlenberg Township Authority (PWS ID No. 3060038)**, Muhlenberg Township, **Berks County** on 10/2/2017 for facilities approved under Construction Permit No. 0616510 MA.

Operation Permit No. 2115514 MA issued to: **Shippensburg Borough Authority (PWS ID No. 7210043)**, Shippensburg Borough, **Cumberland County** on 10/5/2017 for facilities approved under Construction Permit No. 2115514 MA.

Operation Permit No. 2816504 MA issued to: **Shippensburg Borough Authority (PWS ID No. 7210043)**, Lurgan Township, **Franklin County** on 10/5/2017 for facilities approved under Construction Permit No. 2816504 MA.

Operation Permit No. 2817503 issued to: **Greencastle Area Franklin County Water Authority (PWS ID No. 7280014)**, Greencastle Borough, **Franklin County** on 10/5/2017 for facilities approved under Construction Permit No. 2817503.

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

Permit No. 5909501-A1—Operation—Public Water Supply.

Applicant	Mansfield University
Township/Borough	Mansfield Borough
County	Tioga County
Responsible Official	Mr. Richard Nelson Mansfield University Brooks Maint. Bldg. 115 Sherwood Street Mansfield, PA 16933
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	September 29, 2017
Description of Action	Authorizes revisions to permit to include the valid LCR special conditions.

Permit No. 1717508—Construction—Public Water Supply.

Applicant	Clearfield Municipal Authority
Township/Borough	Lawrence Township
County	Clearfield County
Responsible Official	John Williams Clearfield Municipal Authority 107 East Market Street Clearfield, PA 16830

Type of Facility Public Water Supply
 Consulting Engineer James Potopa, PE
 Gwin Dobson & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602-4496

Permit Issued October 3, 2017

Description of Action Authorizes an extension of the water system to the Pine Grove North area of Lawrence Township. The project includes about 67,000 feet of waterlines, a 100,000-gallon finished water storage tank, a booster pump station, a pressure reducing vault, and booster chlorination facilities and tank mixing systems at Pine Grove North and Fire Tower Tanks.

Permit No. 0817502MA—Construction/Operation—
 Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township/Borough Borough of Sayre
 County **Bradford County**
 Responsible Official Mr. Patrick R. Burke
 Director of Operations
 Aqua Pennsylvania, Inc.
 204 East Sunbury Street
 Shamokin, PA 17872

Type of Facility Public Water Supply
 Consulting Engineer Mr. Andrew R. Glitzer
 GHD
 321 Washington Street
 Huntington, PA 16652

Permit Issued October 10, 2017

Description of Action Authorizes operation of the existing Linde Bulk Water Loading Station as a Non-Potable Bulk Water Loading Station that may be used to dispense up to 400,000 gallons per day to authorized haulers.

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

Operations Permit issued to: **Latrobe Municipal Authority**, PO Box 88, Latrobe, PA 15650, (PWSID # **5650060**) Derry Township, **Westmoreland County** on October 4, 2017 for the operation of facilities approved under Construction Permit # 6517525MA.

Operations Permit issued to: **Municipal Authority of the Borough of Derry**, 620 North Chestnut Street, Derry, PA 15627, (PWSID # **5650049**) Derry Township, **Westmoreland County** on October 4, 2017 for the operation of facilities approved under Construction Permit # 6516507MA.

Permit No. 6517528MA-E, Minor Amendment. Public Water Supply.

Applicant **Pine Garden Realty Associates, LP**
 11 Glenview Avenue
 Greensburg, PA 15601

[Borough or Township] Loyalhanna Township
 County **Westmoreland**

Type of Facility Pine Garden Apartments water system
 Consulting Engineer Eberhardt-Lloyd, LLC
 1193 Clifton Road
 Bethel Park, PA 15102

Permit to Construct Issued October 2, 2017

Permit No. 3017507MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 Jefferson, PA

[Township or Borough] Richhill Township
 Responsible Official Timothy Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 Jefferson, PA

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024

Application Received Date October 2, 2017

Description of Action Installation of the Bambino meter vault.

Permit No. 0407507-T1, Minor Amendment. Public Water Supply.

Applicant **Darlington Hill Corporation**
 498 Lisbon Road
 Darlington, PA 16115

[Borough or Township] South Beaver Township
 County **Beaver**
 Type of Facility Lakeview Personal Care

Consulting Engineer
 Permit to Operate Issued October 6, 2017

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

Operation Permit issued to **U.S. Bronze Foundry and Machine, Inc.**, PWSID No. **6200369**, Woodcock Township, **Brawford County**. Permit Number 2013504-C1 issued October 5, 2017, to designate Water Quality Parameter Performance Requirements for this water supply system.

Permit No. 1090503-T1-MA2, Public Water Supply.

Applicant **Pennsylvania American Water Company**
 Cliton Township
 County **Butler**
 Type of Facility Public Water Supply
 Consulting Engineer Bruce A Brubaker, P.E.
 Pennsylvania American Water Company
 852 Wesley Drive
 Mechanicsburg, PA 17055

Permit to Construct Issued October 5, 2017

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.

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

WA 06-449C, Water Allocations. **Shillington Borough Water Authority (PWS ID No. 3060067), Berks County**. Shillington has submitted an application for the right to purchase up to 2.30 million gallons per day, based on a 30-day average, from Western Berks Water Authority. Permittee Contact: Michael D. Mountz, Borough Manager, 2 East Lancaster Avenue, PO Box 247, Shillington, PA 19607-0247. Consulting Engineer: Eric D. McCracken, P.E., Great Valley Consultants, 75 Commerce Drive, Wyomissing, PA 19610-1038. Permit Issued: 10/6/2017.

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

WA2-1021, Water Allocations. **Wilkesburg-Penn Joint Water Authority**, 2200 Robinson Boulevard, Pittsburgh, PA 15221, **Allegheny County**. The right to purchase up to 20,000 gallons of water per day, average day, from the Monroeville Municipal Authority.

WA2-1017, Water Allocations. **Monroeville Municipal Authority**, 219 Speelman Lane, Monroeville, PA 15146, **Allegheny County**. Modification Order to Monroeville Municipal Authority's existing permit for the sale of up to 20,000 gallons of water per day to Wilkesburg-Penn Joint Water Authority.

WA11-145A. Succession to Water Rights. The Department has acknowledged that Lilly Borough Water Authority, Lilly, **Cambria County**, has given notice that it succeeded to all rights and obligations under the permit, issued to Lilly Borough, Lilly, Cambria County on October 4, 2017.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5).

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

Plan Location:

Borough or Township	Borough or Township Address	County
Paradise Township	82 Beaver Creek Road Abbottstown, PA 17301	York

Plan Description: The planning module for new land development for the Jeffrey Vogel Subdivision, DEP Code No. A3-67949-223-2, consisting of subdivision of a 10.2-acre lot from an existing farm for a single family dwelling proposing an individual on lot sewage disposal system is denied. The project is located on the west side of North Schoolhouse Road, north of its intersection with Lincoln Highway in Paradise Township, York County. The plan is denied because: 1) The well on Lot 3 that was used to characterize the background at the site was improperly constructed to deliver only groundwater from the shallow aquifer. It is unclear whether the well was properly purged prior to sampling and the report makes no

mention of the sampling protocol that was used; and 2) The recharge rate used in the mass balance calculation was not appropriate for this area. The report states that 10 inches of groundwater recharge was used but the calculations appear to use a value of 12.75 inches per year. Literature from the Pennsylvania Topographic and Geologic Survey indicate that a recharge rate of 8 inches per year is more appropriate for use in this location.

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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Pier 60 Property, 1499, 1505, 1533 Christopher Columbus Boulevard, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Tina Roberts, Sugarmill Associates, 817 North 3rd Street, Philadelphia, PA 19123 submitted a Final Report concerning remediation of site soil and groundwater contaminated with release of heavy metals and naphthalene. The

report is intended to document remediation of the site to meet the site-specific standard.

Sitewide BP Trainer Refinery, (soil) 4101 Post Road, Borough of Trainer and Marcus Hook, **Delaware County**. Matthew Torell, Monroe Energy, LLC, 4101 Post Road, Trainer, PA 19061 on behalf of Sasa Jazic, Remediation Management Service Corporation, 150 West Warrenville Road, Mail Code 200-IE, Naperville, IL 60563 submitted a Cleanup Plan and Remedial Investigation Report concerning remediation of site soil contaminated with petroleum hydrocarbon. The report is intended to document remediation of the site to meet the site-specific standard.

Berwyn Shopping Center, 500 Lancaster Avenue, Easttown Township, **Chester County**. Theresa Susco, Berwyn Center, LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004 submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the site-specific standard.

Brandywine Mills, 1731, 1737 and 1751 Wilmington Pike, Chadds Ford Township and Township of Concord, **Delaware County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Peter Miller, Chadds Ford Investors, LP, 875 Berkshire Boulevard, Suite 102, Wyomissing, PA 19610 submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the site-specific standard.

Kimberton Wawa, 501 Kimberton Road, East Pike-land Township, **Chester County**. Stephan D. Brower, Environmental Standard, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, Angela Price, Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482 on behalf of Captain David M. Reise, Kimberton 501 LLC, 50 Gilbert Center, Newark, DE 19713 submitted a Final Report concerning remediation of site groundwater contaminated with benzene. The report is intended to document remediation of the site to meet the Statewide health standard.

100 Barren Hill Road, 100 Barren Hill Road, Whitmarsh Township, **Montgomery County**. David Farrington, Brickhouse Environmental, 51 South Franklin Street, West Chester, PA 19382 on behalf of Phillip Zuzelo, Estate of Marlynn C. Zuzelo, P.O. Box 450, Conshohocken, PA 19428 submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOC and PAHs. The report is intended to document remediation of the site to meet the site-specific standard.

Wawa Red Roof Carriage House, 260 West Baltimore Pike, Chester Heights Borough, **Delaware County**. Geoff Kristof, JK Environmental Services, P.O. Box 509, Lafayette Hill, PA 19444 submitted a Final Report concerning remediation of site soil contaminated with No. 6 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

Brown Partnership Property, 125 Limestone Road, Lower Oxford Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18973 on behalf of Brown Partnership, 125 Limestone Road, Oxford, PA 19363 submitted a Final Report concerning remediation of site soil groundwater contaminated with unleaded and leaded gasoline. The

report is intended to document remediation of the site to meet the Statewide health standard.

Bartram's Mile Former CSX Transportation, 1627 South 49th Street, City of Philadelphia, **Philadelphia County**. Kevin McKeever, Langan, 2700 Kelly Road, Warrington, PA 18978 on behalf of Daniel Harkins, City of Philadelphia, One Parkway Building, 11th Floor, 1515 Arch Street, Philadelphia, PA 19102 submitted a Risk Assessment/Remedial Investigation/Cleanup Plan and Final Report concerning remediation of site soil contaminated with organics. The report is intended to document remediation of the site to meet the site-specific standard.

FBF Incorporated, 1145 Industrial Boulevard, Upper Southampton, **Bucks County**. Philip Getty, Boucher & James, Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901 submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCE, TCE and organic chemicals. The report is intended to document remediation of the site to meet the site-specific standard.

Speedi King, 249 Lancaster Whiteland Township, **Chester County**. David Farrington, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Frank King, Jr., Estate of Frank King, 417 Water Dam Road, Coatesville, PA 19320 submitted a Final Report concerning remediation of site soil and groundwater contaminated with organic compounds. The report is intended to document remediation of the site to meet the site-specific standard.

Unique Auto Service, 245 South Main Street, Sellersville Borough, **Bucks County**. Joseph E. LaPann, Keith Valley Environmental, Inc., P.O. Box 5376, Deptford, NJ 08096 on behalf of Joseph and Dawn Eberle, 520 Skunk Hollow Road, Chalfont, PA 18914 submitted a Cleanup Plan/Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with gasoline-related compounds. The report is intended to document remediation of the site to meet the site-specific standard.

Townhouses @ Evansburg, Germantown Pike/River Road & Germantown Pike/Crosskeys Road, Lower Providence Township, **Montgomery County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Christopher Canavan, Prospect Acquisitions, LP & Stoneridge Acquisitions, LP, 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 submitted a Final Report concerning remediation of site soil and groundwater contaminated with metals and chlorinated solvents. The report is intended to document remediation of the site to meet the site-specific standard.

Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

RJ Corman Railroad and Lehigh Valley Dairy, Milepost 93.2 to Milepost 96.7 and 711 North Brick Street, Allentown City and Whitehall Township, **Lehigh County**. Moonstone Environmental, LLC 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Waterfront Redevelopment Partners LP, 1665 Valley Center Parkway, Suite 110, Bethlehem, PA 18017, submitted a Site-Specific Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with semi-volatile compounds and metals from historic use as a railroad. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

FedEx, 2600 Hirtzel Road, North East Township, **Erie County**. GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of YRC Freight, 10990 Roe Avenue, Overland Park, KS 66211, submitted a Final Report concerning the remediation of site soil contaminated with trichloroethene, vinyl chloride, trans 1,2 dichloroethene, 1,1 dichloroethane, cis 1,2 dichloroethene, and 1,2 dichloroethane. The report is intended to document remediation of the site to meet the Background Standard.

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

Colonial Manor Road LLC, 381 Colonial Manor Road, Irwin, **Westmoreland County**. GES, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of Colonial Manor Road, LLC, PO Box 1046, Wooster, Ohio 44691 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with chlorinated volatile organic compounds (CVOCs) and certain metals and groundwater contaminated with CVOCs. Public notice was printed in the *Tribune-Review* on August 26, 2017.

Former McKeesport Tubular, 301 4th Ave., McKeesport, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of RIDC of Southwest PA, 210 Sixth Ave., Suite 3620, Pittsburgh, PA 15222, has submitted a Remedial Investigation Report and Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with semi-volatile organic compounds (VOCS) and metals. Public notice was printed in the *Pittsburgh Post-Gazette* on April 26, 2017.

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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Ashbourne Meadows, 1100 Ashbourne Road, Cheltenham Township, **Montgomery County**. Michael Potts, Ramboll Environ US Corporation, 101 Carnegie Center, Princeton, NJ 08540 on behalf of Kenneth Griffin, Matrix Ashbourne Associates, L.P., Forsgate Drive, CN 4000, Cranbury, NJ 08512 submitted a Remedial Investigation/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with arsenic, lead, mercury and chlordane. The Report was approved by the Department on August 29, 2017.

Menasha Corporation, 501 East Erie Avenue, City of Philadelphia, **Philadelphia County**. Thomas A. Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Omar Whitfield, Menasha Packing Company, LLC, 601 East Erie Avenue, Philadelphia, PA 19134 submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs and metals. The Report was approved by the Department on August 25, 2017.

Kinder Morgan Liquids Terminal, LLC, 330 North Delaware Avenue, City of Philadelphia, **Philadelphia County**. Greg Connell, Groundwater & Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of R. J. Sherman, Kinder Morgan, One Terminal Road, Carteret, NJ 07008 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with inorganic compounds. The Report was approved by the Department on September 7, 2017.

Philadelphia Energy Solutions Refinery, AO1-7, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Collen Costello, Langan Engineering and Environmental Services, 30 South 17th Street, Suite 1500, Philadelphia, PA 19103 on behalf of Tiffanie Doerr,

Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 submitted a Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with gasoline. The Report was approved by the Department on August 20, 2017.

Waterloo Garden, 200 North Whitford Road, West Whiteland Township, **Chester County**. Terrence A. O'Reilly, TriState Environmental Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020, on behalf of Peter D'Angeli, BT Exton, LP, 200 Witmer Road, Suite 200, Horsham, PA 19044 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on September 1, 2017.

Jakes's Fireworks, 1901 Chichester Avenue, Upper Chichester Township, **Delaware County**. Joseph Diamadi, Jr., Marshall Geoscience Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Eric Easter, Jakes's Fireworks, 1500 East 27th Terrance, Pittsburg, KS 66762 submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 7, 2017.

Sarver Residence, 96 Village Lane, Falls Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plain Road, Pennsburg, PA 18073 on behalf of Ty Gawlick, State Farm Insurance Company, PA Fire Claims, P.O. Box 106110, Atlanta, GA 30348-6110 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on August 22, 2017.

McHugh Residence, 226 Tincium Church Road, Tincium Township, **Bucks County**. Greg Van Hook, INTEC Environmental Group, Inc., 6970A Easton Road, Pipersville, PA 18947 on behalf of Michael J. McHugh, 226 Upper Tincium Church Road, Upper Black Eddy, PA 18972 submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on August 22, 2017.

660 Nutt Road Site, 660 Nutt Road, Phoenixville Borough **Chester County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Alex DeSimone Phoenixville Enterprises, LLC f/k/a Phoenixville Investors, LP, 14 Balligomingo Road, Conshohocken, PA 19428 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 5, 2017.

St. John the Baptist Catholic Church, 500-502 Ford Street, Bridgeport Borough, **Montgomery County**. Raymond J. Minarovic, T&M Associates, 74 West Broad, Suite 530, Bethlehem, PA 18018 on behalf of Friar David Ousley, Saint John the Baptist Catholic Church, 500-502 Ford Street, Bridgeport, PA 19405 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 20, 2017.

Country Builders, 443 Madison Avenue, Middletown Township, **Bucks County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Robert A. Yetran, Country Builders, Inc., P.O. Box 575, Langhorne, PA 19047 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 20, 2017.

Convoy Reality, L.P., 6318 West Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004 on behalf of Michael A. Christie, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 submitted a Risk Assessment/Remedial Investigation/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with petroleum hydrocarbons, MTBE, lead, PCBs and VOCs. The Report was approved by the Department on September 11, 2017.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

Regulated Medical and Chemotherapeutic Waste Transporter License Expired

Sanpro LLC, PO Box 336, Lakewood, NJ 08701. License No. PA-HC 0268. Effective Sep 30, 2017.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

General Permit Application No. WMGR028-NE008. Pennsy Supply, Inc., 1001 Paxton Street, Harrisburg, PA 17105. A permit renewal for continued coverage under General Permit WMGR028 for the beneficial use of baghouse fines from the Lawton Asphalt Plant located in

Middletown Borough, **Susquehanna County**. The renewal was approved by the Regional Office on September 22, 2017.

General Permit Application No. WMGR028-NE008A. Pennsy Supply, Inc., 1001 Paxton Street, Harrisburg, PA 17105. A permit renewal for continued coverage under General Permit WMGR028 for the beneficial use of baghouse fines from the Small Mountain/Dorrance Asphalt Plant located in Dorrance Township, **Luzerne County**. The renewal was approved by the Regional Office on September 22, 2017.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Renewal of a Determination of Applicability issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit No. WMGR028SC007A. New Enterprise Stone & Limestone, Inc., Chambersburg Blacktop Plant, 2921 Stone Quarry Rd., Chambersburg, PA 17202 in Guilford Township, **Franklin County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D007A, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

General Permit No. WMGR028SC007C. New Enterprise Stone & Limestone, Inc., Ashcom Quarry, 526 Ashcom Rd., Everett, PA 15537 in Snake Spring Township, **Bedford County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D007C, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

General Permit No. WMGR028SC007D. New Enterprise Stone & Limestone, Inc., Roaring Spring Quarry, 8096 Woodbury Pike, Roaring Spring, PA 16673 in Taylor Township, **Blair County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D007D, for the beneficial use of baghouse fines and/or scrubber

pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

General Permit No. WMGR028SC007E. New Enterprise Stone & Limestone, Inc., Tyrone Blacktop Plant, 3247 Pennington Rd., Tyrone, PA 16686 in Warriors Mark Township, **Huntingdon County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D007E, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

General Permit No. WMGR028SC007F. New Enterprise Stone & Limestone, Inc., Gettysburg Blacktop Plant, 1575 Baltimore Pike, Gettysburg, PA 17325 in Cumberland Township, **Adams County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D007F, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

General Permit No. WMGR028SC007G. New Enterprise Stone & Limestone, Inc., Hinkletown Asphalt Plant, 621 Martindale Rd., Ephrata, PA 17522 in Earl Township, **Lancaster County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D012A, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

General Permit No. WMGR028SC007H. New Enterprise Stone & Limestone, Inc., Denver Asphalt Plant, 73 Kurtz Rd., Denver, PA 17517 in East Cocalico Township, **Lancaster County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to New Enterprise Stone & Lime, Inc., previously permitted under permit number WMGR028D012B, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 3, 2017.

Persons interested in obtaining more information about these general permits may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users

may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

Permit(s) 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.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 301315. Talen Energy, 835 Hamilton Street, Suite 150, Allentown, PA 18101, Derry Township, **Montour County**. This permit renewal is for the existing Ash Basin # 1 used for disposal of residual waste. The permit was issued by Northcentral Regional Office on October 5, 2017.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.

GP3-09-0149: TAMCO Construction Inc., (539 E. Dark Hollow Road, Pipersville, PA 18947) On October 6, 2017 for a portable non-metallic mineral processing plant and water spray dust suppression system in Lower Southampton Township, **Bucks County**.

GP9-09-0078: TAMCO Construction Inc., (539 E. Dark Hollow Road, Pipersville, PA 18947) On October 6, 2017 for a diesel-fired internal combustion engine (1) in Lower Southampton Township, **Bucks County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP3-35-018: Keystone Sanitary Landfill, Inc. (249 Dunham Drive, Dunmore, PA 18512) on October 2, 2017, for the construction and operation of a crushing operations at their facility in Throop Borough, Dunmore borough, **Lackawanna County**.

GP11-35-018: Keystone Sanitary Landfill, Inc. (249 Dunham Drive, Dunmore, PA 18512) on October 2, 2017, for the construction and operation of a CAT diesel fired engine at their facility in Throop Borough, Dunmore borough, **Lackawanna County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

GP1-36-03181A: Nissin Foods Co., Inc. (201 Hempland Road, Lancaster, PA 17601) on September 29, 2017, for 8 existing natural gas-fired boilers, under GP1, at the food manufacturing facility located in East Hempfield Township, **Lancaster County**. The general permit authorization was renewed.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP3-59-247: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on September 27, 2016, to relocate and operate a Terex Pegson XA400S crusher, a Terex Pegson 1000 Maxtrak crusher, a Finlay C-1550P crusher, a Powerscreen Trakpactor model 500 portable crusher, a Powerscreen Chieftain 2100 triple deck screener, a Powerscreen Warrior 1800 double deck screener, a Terex Finlay 694+ double deck screener, a Powerscreen Warrior 2400 double deck screener, a McCloskey SDX100 conveyor/stacker and three (3) Telestacker TC421 conveyor-stackers with associated water spray dust suppression systems pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the New Enterprise Stone and Lime Tioga Quarry located in Middlebury Township, **Tioga County**.

GP9-59-247: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on September 27, 2017, to relocate and operate a Caterpillar 300 bhp C9 DITA diesel engine, a Scania USA 345 bhp DC09 070A diesel engine, a Caterpillar 540 bhp C15 diesel engine, a Scania 450 bhp DC13 083A diesel engine, a Caterpillar 129.4 bhp C4.4 ACERT TA diesel engine, a Caterpillar 99.9 bhp C4.4 3054C DITA diesel engine, a Caterpillar 131.4 bhp C4.4 ETAD diesel engine and a Caterpillar 202.5 bhp C7.1 diesel engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at the New Enterprise Stone and Lime Tioga Quarry located in Middlebury Township, **Tioga County**.

GP3-08-371A Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on October 5, 2017, for the authorization construct and operate a 2006 Terex Pegson model XR400 portable crushing plant, a 2010 Terex Pegson model XR400S portable crushing plant, a 2010 Terex Pegson model XA400 portable crushing plant, a 2012 Terex Pegson model 1300 Maxtrak portable crushing plant, a 2011 Terex Pegson model XA400 portable crushing plant, a 2005 Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 Terex Powerscreen Warrior 1800 portable screening plant, a 2010 Terex Powerscreen Chieftain 2100 portable screening plant, a 2010 Terex Powerscreen Warrior 2400 portable screening plant and two Telestacker conveyor/stackers pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Big Pond Quarry located in Springfield Township, **Bradford County**.

GP9-08-371A Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on October 5, 2017, for the authorization to construct and operate three (3) 275 bhp Cat C9 DITA, one (1) 350 bhp Scania DC13, one (1) 300 bhp Scania DC9, two (2) 111 bhp Cat C4.4, and one (1) 192 bhp Deutz BF4M2012 diesel-fired engines pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) along with plan approval exemption of one (1) 96 bhp Deutz BF4M201296 and two (2) 40 bhp Deutz D2011L02i diesel-fired engines to power portable non-metallic portable crushers, screeners and stacker/conveyors at the Big Pond Quarry located in Springfield Township, **Bradford County**.

GP1-55-01: Selinsgrove Area School District (401 North 18th Street, Selinsgrove, PA 17870) on October 2, 2017, authorization to continue operation of two (2) 10.46 MMBtu/hr Burnham model LN5L-250-50-GO-IC boilers each equipped with an Industrial Combustion model LNDLG-145P low-NO_x dual fuel natural gas/No. 2 fuel oil burner pursuant to General Plan Approval and/or General Operating Permit BAQ-GPA/GP-1, Small Gas and No. 2 Oil Fired Combustion Units at the Selinsgrove Area School District located in Selinsgrove Borough, **Snyder County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

GP2-25-1010B: American Biodiesel Energy, Inc. (4680 Iroquois Ave., Erie, PA 16511) on October 4, 2017, for the authority to construct and/or operate a storage tank for Volatile Organic Liquids (BAQ-GPS/GP2) located at their facility in Harborcreek Township, **Erie County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

06-05155A: Martin Forestry Products, LLC (56 Wintersville Road, Richland, PA 17087) on October 2, 2017, for 06-05155A: Martin Forestry Products, LLC (56 Wintersville Road, Richland, PA 17087) on October 2, 2017, for the construction of a wood chip drying system at 523 Brown Road, Myerstown, PA 17067, located in Bethel Township, **Berks County**.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

30-00234A: Equitrans, LP (625 Liberty Ave, EQT Plaza, Suite 1700, Pittsburgh, PA 15222) plan approval effective on October 2, 2017, for construction and temporary operation of air contamination sources and controls at its Redhook Compressor Station, a proposed natural gas transmission station to be located in Franklin Township, **Greene County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

43-034B: Dunbar Asphalt Products, Inc. (P.O. Box 477, Wheatland, PA 16161), on October 3, 2017 issued a Plan Approval for replacement of the bags and fan in control device C202B (Plant 4 Baghouse) in Wheatland Borough, **Mercer County**. This is a State Only facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920.

23-0003Y: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061) On October 4, 2017 for the installation of a reconstructed boiler burning gas 1 fuel in Trainer Borough, **Delaware County**.

09-0210A: Waste Management of Fairless, LLC (1000 New Ford Mill Road, Morrisville, PA 19067-3704) On October 4, 2017 to construct an interim and permanent landfill gas collection and treatment system for the sale of landfill gas and two backup flares in Falls Township, **Bucks County**.

09-0007C: Waste Management of Fairless, LLC (1000 New Ford Mill Road, Morrisville, PA 19067-3704) On October 4, 2017 to construct an interim and permanent landfill gas collection and treatment system for the sale of landfill gas and two backup flares in Falls Township, **Bucks County**.

15-0078G: Janssen Biotech Inc. (200 Great Valley Parkway, Malvern, PA 19355-1307) On October 6, 2017 for installation and operation of a 2015 model year diesel-fired emergency generator in East Whiteland Township, **Chester County**.

09-0231: New Age Industries, Inc. (145 James Way, Southampton, PA 18966-3817) On October 6, 2017 for the use of isopropyl alcohol in New Ages production process, an uncontrolled process in Upper Southampton Township, **Bucks County**.

23-0119E: Sunoco Partners Market & Term L.P. (100 Green Street, Marcus Hook, PA 19061-4800) On October 6, 2017 to construct and operate three distillation units (two de-propanizers and one debutanizer) to separate and purify the natural gas liquids and pipeline trans-mix into propane, butane and C5+ products in Marcus Hook Borough, **Delaware County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-179C: Erie City Sewer Authority (68 Port Access Road, Erie, PA 16507-2202) on September 30, 2017, effective September 30, 2017, will issue a plan approval extension for the replacement of incinerator burners and the emergency bypass stack, rehabilitation of the existing wet electrostatic precipitators and replacement of three existing dewatering belt filter presses. Expiring March 31, 2018. This facility is located in the City of Erie, **Erie County**.

43-377A: Austin Rubber Company, LLC (93 Werner Rd, Greenville, PA 16125) on October 6, 2017, effective October 31, 2017, has issued a plan approval extension for the installation and operation of a rubber devulcanization facility in Sugar Grove Township, **Mercer County**. This will be a non-Title V facility.

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

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

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

09-00001: Avery Dennison Corporation, Fasson Roll Division (35 Penn Am Drive, Quakertown, PA 18951) On October 6, 2017 for renewal of a Title V Operating Permit in Richland Township, **Bucks County**. The operating permit includes monitoring, record keeping, and reporting requirements designed to address all applicable air quality requirements.

09-00030: Brightsmith LLC. (120 Enterprise Ave, Morrisville, PA 19067-3703) On February 2, 2017 for the renewal of their Title V Operating Permit for their metal coil coating operation located in Falls Township, **Bucks County**.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

30-00194 EQM Gathering OPTO LLC (625 Liberty Ave, Pittsburgh, PA 15222) In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on October 5, 2017, DEP has issued an initial Title V Operating Permit to EQM Gathering OPTO LLC for the operation of a natural gas compressor station, known as the Callisto Compressor Station, located in Morris Township, **Greene County**.

The facility is a nat30-00194 EQM Gathering OPTO LLC (625 Liberty Ave, Pittsburgh, PA 15222) In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on October 5, 2017, DEP has issued an initial Title V Operating Permit to EQM Gathering OPTO LLC for the operation of a natural gas compressor station, known as the Callisto Compressor Station, located in Morris Township, **Greene County**.

The facility is a natural gas compression booster station that dehydrates and moves natural gas from the Jupiter Pipeline Gathering System. The main emission sources at Callisto are five natural gas compressors driven by spark ignition, four-stroke, lean-burn, 4,735-bhp, Caterpillar G3616 LE, natural gas-fired compressor engines and three, triethylene glycol (TEG), 120 MMBtu per day dehydration units, each with a 1.5 MMBtu/hr reboiler and 1,420 scfm, enclosed, ground flare. Emissions from the compressors are controlled by periodic rod packing changes. Emissions from the compressor engines are controlled by oxidation catalysts and air/fuel ratio controllers. The existing Brown's Creek Dehydration Station and Harden Well Pad are within 1/4 mile of the compressor station and are part of Callisto for air permitting purposes. The dehydration station has a dehydrator with a reboiler and ground flare. Brown's Creek and Harden

have a total of five condensate tanks of 210-bbl, or less, which are controlled by weighted pressure relief valves.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 70, 98 and 25 Pa. Code Chapters 121—145.

AIR QUALITY

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

46-00262: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) On October 6, 2017 for operation of a pigment dispersion and color concentrates manufacturing plant located in Hatfield Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. Facility wide criteria pollutant emissions are restricted to less than the major facility thresholds; therefore, the facility is classified as a Synthetic Minor facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00224: Nationwide Mutual Insurance Company (355 Maple Ave., Harleysville, PA 19438) On October 6, 2017 for the renewal of a Synthetic Minor Operating Permit in Lower Salford Township, **Montgomery County**. Nationwide is a synthetic minor for Nitrogen Oxides (NO_x) which limits yearly NO_x emissions to less than 25 tons. The facility is comprised of numerous office buildings and operates two dual-fuel (natural gas and No. 2 oil) fired boilers (6.0 MMBtu/hr each), and two No. 2 Oil-fired Emergency Generators (1,490 BHP each). The emergency generators are subject to 40 CFR Part 63 Subpart ZZZZ. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-03095: New Enterprise Stone & Lime Co., Inc. (PO Box 550, Blue Bell, PA 17506-0550) on September 29, 2017, for the clay mining and processing plant located in Caernarvon Township, **Lancaster County**. The State-only permit was renewed.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

10-00298: ESM Group Inc. (955 Saxonburg Blvd., Saxonburg, PA 16056-2317), on September 28, 2017, the Department issued the renewal of the Natural Minor Permit of a magnesium-lime powder manufacturing facility located in Saxonburg Borough, **Butler County**. Permitted sources at the facility include grinding, mixing,

loading, and surface coating operations, an emergency generator, and degreasers. Starting with this renewal, the surface coating operation at the facility is subject to a VOC elective restriction of 2.7 tons per 12-month rolling period to escape 25 Pa. Code § 129.52d, which pertains to Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings. Three sources previously permitted are also removed from the operating permit.

10-00333: Penn United Technologies Inc., Cabot Facility (799 North Pike Road, Cabot, PA 16023), on October 5, 2017, the Department issued the renewal of the Natural Minor Permit of a facility, located in Jefferson Township, **Butler County**, that performs tool and die manufacturing, precision metal stamping, reel-to-reel electroplating, and product assembly. In this renewal, two emergency generators are incorporated into the operating permit, with one subject to 40 CFR 60 Subpart JJJJ pertaining to New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines. Also added is a coating unit subject to recordkeeping, reporting, and work practice requirements pursuant to 25 Pa. Code § 129.52d, which pertains to Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings. Other permitted sources at the facility include a batch vapor degreaser, cold cleaning degreasers, small boilers, and electroplating operation.

20-00034: Northwest Hardwoods Incorporated (10589 Campbell Road, Titusville, PA 16354) on September 26, 2017, the Department issued a renewal of the State Only Operating Permit for the sawmill and hardwood manufacturing facility located in Oil Creek Township, **Crawford County**. The sources at the facility include a wood fired boiler controlled by a multiclone, an 11.8 mmbtu/hr natural gas boiler, miscellaneous wood-working operations and sawdust off-loading controlled by a central dust collection system, wood drying kilns, miscellaneous natural gas combustion, road dust from paved surfaces, and a parts washer. The facility is a natural minor. The facility is an Area Source for MACT. The wood fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The actual PM₁₀, SO_x, NO_x, CO, and VOC emissions are approximately 8.0 TPY, 0.2 TPY, 5.1 TPY, 5.1 TPY, and 4.8 TPY, respectively. The renewal permit contains the requirements of GP-1-20-034A, emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00930: Donjon Shipbuilding & Repair LLC (220 East Bayfront Parkway, Erie, PA 16507) on September 26, 2017, the Department issued the modification and renewal of the State Only Operating Permit (SOOP) for the ship painting facility located in the City of Erie, **Erie County**. The modification is to include requirements from the Control Techniques Guidelines (CTG) for Shipbuilding and Ship Repair Operations (Surface Coating) in the existing State Only Operating Permit. The sources at the facility include a natural gas fueled pre-heat cabinet, 2 blasting operations, a paint booth, and ship painting operations. The facility is a Synthetic Minor. The potential emissions from the facility are as follows: VOCs, 49.5 tpy; any single HAP 9.5 tpy; and all combined HAPs 24.5 tpy. The SOOP renewal modification contains emission restriction, testing, monitoring, recordkeeping, reporting

and work practice standards derived from the applicable requirements of PA Code Title 25, Article III, Chapters 121—145.

33-00168: Miller Welding & Machine Company/Maplevalle Plant (P.O. Box G, Brookville, PA 15825). On September 25, 2017, the Department renewed a State Only Operating Permit for the operation of a metal fabrication and surface coating facility located in Rose Township, **Jefferson County**. The facility is a Synthetic Minor. Potential emissions for VOCs are 49.7 tpy based upon the Federally enforceable limit in the operating permit. Actual VOC emissions have been less than 3 tons per year each year for the last 5 years. The permit includes requirements from the previously issued plan approvals and operating permits and contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

09-00013: Wheelabrator Falls Inc. (1201 New Ford Mill Road, Morrisville, PA 19067-3707) On October 6, 2017 for an amendment to incorporate standards pertaining to the pressure drop and associated recording and work practice standards of the pressure drop across the Lime Silo Baghouse (Source ID P001) in the Title V Operating Permit for this location in Falls Township, **Bucks County**.

09-00186: Kinder Morgan Bulk Term Inc. (1000 S Port Road, Fairless Hills, PA 19030-5004) On October 6, 2017 for an amendment to incorporate conditions from Plan Approval No. 09-0186F into the State Only Operating Permit (09-00186) for this facility located in Falls Township, **Bucks County**. This amendment modifies the Bulk Material Handling (Source ID 101), Coal and Coke Import/Export (Source ID 104), and Two (2) Portable McCloskey Conveyor/Stackers (Source ID 105). The modifications do not result in any physical change to any equipment at the facility. The modifications were only made to the language in the permit, to simplify how the sources at the facility are permitted. There have been no changes in potential emissions from the facility. The operating permit maintains recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

33-00002: Owens Brockway Glass Container Plant 19 (3831 Route 219, Brockport, PA 15823). On September 28, 2017, the Department issued an administrative amendment to the Title V Operating Permit to incorporate the requirements of Plan Approval 33-002E. The facility is located in Snyder Township, **Jefferson County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

GP5-17-437B: Alliance Petroleum Corporation (4150 Belden Village Avenue NW, Suite 410, Canton, OH 44718) on September 29, 2017, terminated the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Brink Compressor Station located in Chest Township, **Clearfield County** due to the determination that the individual sources at the facility emit air contaminants below the respective plan approval emissions exemption thresholds and the facility overall emits air contaminants below the respective operating permit emission exemption thresholds pursuant to 25 Pa. Code § 127.14. Alliance Petroleum is required to maintain monthly records to demonstrate that their actual emissions remain below exemption thresholds. The facility remains subject to all applicable air quality regulations specified in 25 Pa. Code Chapters 121–145. The review also acknowledged a change in ownership of the facility from Mountain Gathering on January 1, 2017.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1–1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301–3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51–30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1–1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001–4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1002).

Coal Permits Issued

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

32051601 and NPDES No. PA0236012. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Crooked Creek Preparation Plant in Washington Township, **Indiana County**. No additional discharges. The application was considered administratively complete on August 2, 2016. Application received February 2, 2016. Permit issued September 28, 2017.

NPDES No. PA0215490. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the NPDES Permit for the Lady Jane Plant in

Huston Township, **Clearfield County**. No additional discharges. The application was considered administratively complete on May 9, 2011. Application received November 2, 2009. NPDES Permit issued September 28, 2017.

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

16120101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface mine in Limestone Township, **Clarion County**, affecting 130.5 acres. Receiving streams: One unnamed tributary to Piney Creek and Piney Creek, one unnamed tributary to Glade Run, and two unnamed tributaries to Sloan Run. This renewal is issued for reclamation only. Application received: June 29, 2017. Permit Issued: October 3, 2017.

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

17030105. Hepburnia Coal Company (P.O. Box I, 1127 Haytown Road, Grampian, PA 16838). Permit revision for change in land use from forestland to pasture land on two properties on a bituminous surface and auger mine in Ferguson and Greenwood Townships, **Clearfield County** affecting 115.0 acres. Receiving streams: Watts Creek to West Branch Susquehanna River, classified for the following use(s): HQ-CWF and CWF, respectively. There are no potable water supply intakes within 10 miles downstream. Application received: June 30, 2017. Permit issued: October 5, 2017.

Noncoal Permits Issued

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

PAM613004. Lehigh Hanson ECC, Inc. (2200 Springfield Pike, Connellsville, PA 15425) Renewal of the General NPDES Permit of stormwater discharges associated with mining activities on Surface Mining Permit No. 37960304 in North Beaver Township and Bessemer Borough, **Lawrence County**. Receiving streams: Unnamed tributary to Hickory Run. Application received: August 30, 2017. Permit Issued: October 3, 2017.

PAM617018. Meadville Redi-Mix Concrete, Inc. (P.O. Box 418, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 4876SM17 in Woodcock Township, **Crawford County**. Receiving streams: Woodcock Creek. Application received: September 5, 2017. Permit Issued: October 3, 2017.

PAM617019. Meadville Redi-Mix Concrete, Inc. (P.O. Box 418, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 4876SM15 in East Fairfield Township, **Crawford County**. Receiving streams: French Creek. Application received: September 5, 2017. Permit Issued: October 3, 2017.

PAM617021. The Ambrosia Coal & Construction Co. (P.O. Box 422, Edinburg, PA 16116) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 3176SM3 in North Beaver Township, **Lawrence County**. Receiving streams: Beaver River. Application received: September 7, 2017. Permit Issued: October 3, 2017.

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

08172801. Robert Johnson Flagstone, Inc. (3658 Old Stagecoach Road, Wyalusing, PA 18853), commence-

ment, operation, and restoration of a small noncoal industrial minerals surface mine permit (Bluestone/Flagstone) in Tuscarora Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributary to Little Tuscarora Creek classified for the following use(s): CWF, MF. Application received: July 7, 2017. Permit issued: September 28, 2017.

PAM217012. Robert Johnson Flagstone, Inc. (3658 Old Stagecoach Road, Wyalusing, PA 18853). General NPDES permit for stormwater discharge associated with mining activities on Surface Mining Permit No. 08172801 in Tuscarora Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Little Tuscarora Creek. Application received: July 7, 2017. Permit issued: September 28, 2017.

53110301 and NPDES PA0257788. North Penn Supply Quarries, LLC (269 Route 6 West, Galeton, PA 16922). Transfer from Jerome Eckert, revision to add 2.9 acres, and NPDES renewal on an existing large noncoal surface mining site located in Sweden Township, **Potter County** affecting 20.9 acres. Receiving stream(s): Mill Creek. Application received: September 9, 2016. Permit issued: September 28, 2017.

4773SM3 and NPDES PA0207101. Hanson Aggregates Pennsylvania LLC (7660 Imperial Way, Allenton, PA 18195). Renewal of the NPDES permit on an existing industrial mineral mine located in Limestone Township, **Lycoming County** affecting 321.7 acres. Receiving stream(s): Antes Creek classified for the following use(s): CWF, MF. Application received: April 11, 2017. Permit issued: October 4, 2017.

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

Permit No. 7274SM1A1C8 and NPDES Permit No. PA0595161. Lehigh Asphalt Paving & Construction Co., (P.O. Box 549, Tamaqua, PA 18252), renewal of an existing NPDES Permit for discharge of treated mine drainage from a quarry operation in West Penn Township, **Schuylkill County**, receiving stream: unnamed tributary to Lizard Creek. Application received: May 15, 2013. Renewal issued: October 4, 2017.

Permit No. 5878SM3C6 and NPDES Permit No. PA0595691. H & K Group, Inc., (P.O. Box 196, Skip-pack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage in Penn Forest Township, **Carbon County**, receiving stream: Stony Creek. Application received: October 9, 2013. Renewal issues: October 5, 2017.

Permit No. 58172509. Natstone, LLC d/b/a Rock Ridge Stone, (631 State Route 1039, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Liberty Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Snake Creek. Application received: June 2, 2017. Permit issued: October 5, 2017.

PAM117024. Natstone, LLC d/b/a Rock Ridge Stone, (631 State Route 1039, Montrose, PA 18801), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58172509 in Liberty Township, **Susquehanna County**, receiving stream: Snake Creek. Application received: June 2, 2017. Permit issued: October 5, 2017.

Permit No. 8074SM3C and NPDES Permit No. PA0118443. Harleysville Materials, LLC, (P.O. Box 587, Berlin, NJ 08009), renewal of NPDES permit for discharge of treated mine drainage in Lower Salford Township, **Montgomery County**, receiving stream: East Branch of the Perkiomen Creek. Application received: May 21, 2014. Renewal issued: October 6, 2017.

Permit No. 6276SM4C9 and NPDES Permit No. PA0613142. New Enterprise Stone & Lime Co., Inc. d/b/a Martin Limestone, Inc., (P.O. Box 550, Blue Ball, PA 17506), renewal of NPDES permit for discharge of treated mine drainage in Honey Brook & Caernarvon Townships, **Chester & Lancaster Counties**, receiving stream: unnamed tributary to West Branch of Brandywine Creek. Application received: February 1, 2016. Renewal issued: October 6, 2017.

Permit No. 09870301C17 and NPDES Permit No. PA0593796. Warner Company, (1000 New Ford Mill Road, Morrisville, PA 19067), renewal of NPDES permit for discharge of treated mine drainage in Falls Township, **Bucks County**, receiving stream: unnamed tributary to Delaware River. Application received: February 21, 2013. Renewal issued: October 6, 2017.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 48174108. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Chrin Commerce Building in Palmer Township, **Northampton County** with an expiration date of September 27, 2018. Permit issued: October 2, 2017.

Permit No. 58174119. DW Drilling & Blasting, (2042-B S. Brentwood Boulevard, Suite 115, Springfield, MO 65804) construction blasting for Myers R Pad-1 & Tank Pad in Lathrop Township, **Susquehanna County** with an expiration date of September 21, 2018. Permit issued: October 2, 2017.

Permit No. 64174107. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for PPL Blooming Grove Line in Blooming Grove, Palmyra and Paupack Townships, **Pike and Wayne Counties** with an expiration date of December 31, 2018. Permit issued: October 2, 2017.

Permit No. 40174114. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Pittston Warehouse in Pittston City, **Luzerne County** with an expiration date of September 19, 2018. Permit issued: October 3, 2017.

Permit No. 06174119. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Jack Wise chicken house in Marion Township,

Berks County with an expiration date of December 30, 2017. Permit issued: October 4, 2017.

Permit No. 46174119. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Brynwood in Lower Providence Township, **Montgomery County** with an expiration date of October 31, 2018. Permit issued: October 4, 2017.

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 AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E46-1128. Pennsylvania Turnpike Commission, 700 S. Eisenhower Boulevard, Middletown, PA 17057, Lower

Salford, Salford, and Franconia Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the below-listed water obstruction and encroachment activities associated with the A31 to A38 Reconstruction and Widening Project of the Northeast Extension of the Pennsylvania Turnpike (I-476). Work will commence at Milepost A31.3 (just south of Fretz Road) and terminate at Milepost A38.1 (just north of Clump Road). The project will traverse Lower Salford, Salford, and Franconia Townships in Montgomery County. The project includes compensatory mitigation for 1.2 acre of permanent wetland impact and approximately 2,600 linear feet of permanent channel loss to perennial and intermittent waterways.

1. To grade the channel bank of an unnamed tributary to Skippack Creek (TSF) (Waterway S2) to facilitate the outlet of a stormwater management conveyance resulting in permanent impacts of 13 linear feet (252 square feet) and temporary impacts of 42 linear feet (1,028 square feet). This work also includes the permanent placement of approximately 168 square feet of rock apron.

2. To grade the channel bank of an unnamed tributary to Skippack Creek (TSF) (Waterway S3) to facilitate the outlet of a stormwater management conveyance resulting in permanent impacts of 56 linear feet (747 square feet) and temporary impacts of 51 linear feet (540 square feet). This work also includes the permanent placement of approximately 70 square feet of rock apron.

3. To extend an existing 111.5-foot long 6-foot wide by 4-foot high RC Box stream enclosure by 76 feet for a final length of 187.5 feet. Also, to place scour protection, and grade banks to facilitate stormwater conveyances within an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S4) resulting in permanent impacts of 174 linear feet (1,271 square feet) and temporary impacts of 430 linear feet (2,674 square feet). This work also includes the permanent placement of approximately 70 square feet of rock apron.

4. To replace an existing 123-foot long, 42-inch RCCP stream enclosure with a 166-foot long, 34-inch high by 53-inch wide RCCP stream enclosure. Also, to place scour protection, and grade banks to facilitate stormwater conveyance in an unnamed tributary to Skippack Creek (TSF) (Waterway S5) resulting in permanent impacts of 275 linear feet (1,529 square feet) and temporary impacts of 363 linear feet (1,444 square feet). This work also includes the permanent placement of approximately 70 square feet of rock apron.

5. To place fill in wetland (W20) which drains to unnamed tributary to Skippack Creek (TSF) (Waterway S5) resulting in a permanent impact of 82 square feet (0.002 acre) of the emergent wetland (W20).

6. To relocate an unnamed tributary to Skippack Creek (TSF) (Waterway S35) resulting in permanent impacts of 26 linear feet (61 square feet) and no temporary impacts.

7. To replace an existing 161-foot long, 42-inch RCCP stream enclosure with a 188.5-foot long, 34-inch high by 53-inch wide RCCP stream enclosure. Also, to place scour protection, and grade banks to facilitate stormwater conveyance in an unnamed tributary to Skippack Creek (TSF) (Waterway S6) resulting in permanent impacts of 324 linear feet (2,083 square feet) and temporary impacts of 269 linear feet (2,129 square feet). This work also includes the permanent placement of approximately 70 square feet of rock apron.

8. To extend an existing 105.5-foot long, 42-inch RCCP stream enclosure by 56.5 feet for a final length of 162

feet. Also, to place scour protection, and grade banks to facilitate stormwater conveyance in an unnamed tributary to Skippack Creek (TSF) (Waterway S7) resulting in permanent impacts of 124 linear feet (596 square feet) and temporary impacts of 231 linear feet (1,130 square feet). This work also includes the permanent placement of three rock aprons which total approximately 299 square feet.

9. To place fill and to extend an existing 105.5-foot long, 42-inch RCCP by 23.5 feet for a final length of 129 feet within wetland (W5) which drains an unnamed tributary to Skippack Creek (TSF) (Waterway S7) resulting in permanent impacts of 1,283 square feet (0.03 acre) and temporary impacts of 1,321 square feet (0.03 acre) of the emergent wetland (W5).

10. To extend an existing 129.5-foot long, 36-inch RCCP stream enclosure by 122.5 feet for a final length of 252 feet. Also, to place scour protection, and grade banks to facilitate stormwater conveyance in an unnamed tributary to Skippack Creek (TSF) (Waterway S8) resulting in permanent impacts of 123 linear feet (667 square feet) and temporary impacts of 319 linear feet (1,602 square feet). This work also includes the permanent placement of approximately 120 square feet of rock apron.

11. To extend an existing 134.5-foot long, 48-inch RCCP stream enclosure by 45.5 feet for a final length of 180 feet. Also, to place scour protection, and grade banks to facilitate stormwater conveyance in an unnamed tributary to Skippack Creek (TSF) (Waterway S10) resulting in permanent impacts of 94 linear feet (797 square feet) and temporary impacts of 234 linear feet (1,170 square feet). This work also includes the permanent placement of two rock aprons which total approximately 152 square feet.

12. To place fill and to extend an existing 142-foot long, 42-inch RCCP stream enclosure by 37 feet for a final length of 179 linear feet in an unnamed tributary to Skippack Creek (TSF) (Waterway S11) resulting in permanent impacts of 172 linear feet (1,112 square feet) and temporary impacts of 227 linear feet (1,135 square feet).

13. To place fill and to encroach upon a wetland (W6) associated with a permanent stormwater management basin which drains to an unnamed tributary to Skippack Creek (TSF) (Waterway S11). This activity will result in a permanent impact of 0.04 acre (1,655 square feet) shrub/scrub and emergent wetland (W6).

14. To place fill and to extend an existing 142-foot long, 42-inch RCCP stream enclosure by 38.5 feet and a 134.5-foot long 48-inch RCCP stream enclosure by 37.5 feet associated with the northbound lane widening in wetland (E2) for a final length of 180.5 linear feet and 172 linear feet, respectively. Also, to grade a new relocated channel to establish (42-inch and a 48-inch, respectively) within wetland (E2) and to excavate and relocate an unnamed tributary to Skippack Creek (TSF) (Waterway S12). This activity will result in permanent impacts of 0.15 acre (6,609 square feet) of the PEM wetland.

15. To extend an existing 123-foot long, 8-foot wide by 6-foot high RC box stream enclosure by 60.5 feet for a final length of 183.5 feet and to extend an existing 97-foot long, 8-foot long by 5-foot high RC box culvert by 71 feet for a stream enclosure length of 168 feet. Also, to relocate an unnamed tributary to Skippack Creek (Waterway S12) to facilitate roadway widening and stormwater management facilities. This activity will result in permanent stream impacts of 1,779 linear feet (17,841 square feet) and temporary impacts of 447 linear feet (4,888 square feet).

16. To place fill within wetland (W7) and relocate 107 linear feet of Waterway S12 which drains to an unnamed tributary to Skippack Creek (TSF) (Waterway S12). This activity will result in permanent impact of 10,148 square feet (0.23 acre) to PEM wetlands (W7).

17. To relocate a segment of waterway (S12), an unnamed tributary to Skippack Creek (TSF) (Waterway S16), resulting in permanent impacts of 18 linear feet (161 square feet) with no temporary impacts.

18. To place fill within an unnamed tributary to Skippack Creek (TSF) (Waterway S39) to facilitate a permanent stormwater basin resulting in permanent impacts of 28 linear feet (156 square feet) and temporary impacts of 62 linear feet (293 square feet).

19. To relocate an unnamed tributary to Skippack Creek (Waterway S13) for roadway widening resulting in permanent impacts of 412 linear feet (4,593 Square feet) with no temporary impacts.

20. To extend an existing 190-foot long, 12-foot wide reinforced concrete arch stream enclosure by 39 feet for a final length of 229 feet. Also, to place scour protection within an unnamed tributary to Indian Creek (TSF) (Waterway S14) resulting in permanent impacts of 88 linear feet (1,154 square feet) and temporary impacts of 389 linear feet (5,317 square feet). This work also includes the permanent placement of approximately 144 square feet of rock apron.

21. To place scour protection and grade banks within the main branch of Indian Creek (TSF) (Waterway S17) resulting in permanent impacts of 124 linear feet (2,001 square feet) and temporary impacts of 318 linear feet (7,500 square feet).

22. To replace an existing 148-foot long, 36-inch RCCP stream enclosure with a 176-foot long, 29-inch high by 45-inch wide RCCP stream enclosure. Also, to place scour protection, and to grade the stream bank within an unnamed tributary to Indian Creek (TSF) (Waterway S18) resulting in permanent impacts of 194 linear feet (760 square feet) and temporary impacts of 102 linear feet (719 square feet). This work also includes permanent placement of 146 square feet of rock apron.

23. To extend an existing 145-foot long, 42-inch RCCP stream enclosure by 7 feet for a final length of 152 feet. Also, to grade the stream bank within an unnamed tributary to Indian Creek (TSF) (Waterway S19) resulting in permanent impacts of 85 linear feet (868 square feet) and temporary impacts of 365 linear feet (2,255 square feet). This work also includes the permanent placement of 81 square feet of rock apron.

24. To perform grading activities within an unnamed tributary to Indian Creek (TSF) (Waterway S22) resulting in temporary impacts of 26 linear feet (73 square feet).

25. To place fill within wetland (W11) resulting in permanent impact of 0.03 acre (1,352 square feet) and temporary impacts of 0.01 acre (599 square feet) of PEM wetland (W11).

26. To replace and relocate an existing 119-foot long, 36-inch RCCP stream enclosure with a 166-foot long, 29-inch high by 45-inch wide RCCP stream enclosure along an unnamed tributary to the East Branch of Perkiomen Creek (TSF) (Waterway S20) resulting in permanent impacts of 507 linear feet (2,441 square feet) with no temporary impacts.

27. To extend an existing 120-foot long, 48-inch RCCP stream enclosure by 55 feet for a final length of 175.5 feet

and to grade 25 linear feet of stream bank within an unnamed tributary to Indian Creek (TSF) (Waterway S21) resulting in permanent impacts of 116 linear feet (1,241 square feet) and temporary impacts of 230 linear feet (1,210 square feet). This work also includes the placement of 108 square feet of rock apron.

28. To construct a wetland mitigation site in the vicinity of wetland (W12) resulting in permanent impacts of 0.24 acre (10,621 square feet) of PEM wetland.

29. To place fill within wetland (W13) resulting in permanent impact of 0.009 acre (404 square feet) and temporary impacts of 0.015 acre (666 square feet) of PFO wetland.

30. To construct a wetland mitigation site in the vicinity of wetland (W18) resulting in permanent impact of 0.13 acre (5,529 square feet) of the PFO and PEM wetlands.

31. To place fill within wetland (E6) resulting in permanent impacts of 0.10 acre (4,533 square feet) of the PFO and PEM wetland.

32. To remove an existing 338-foot long by 81-foot wide, 3-span bridge and replace with a 420-foot long by 161-foot wide, 3-span composite concrete bridge over the East Branch of Perkiomen Creek (Waterway S24) resulting in permanent impacts of 29 linear feet (356 square feet). The project will also result in temporary impacts of 312 linear feet (26,279 square feet)—mostly from the construction of a temporary causeway. This work also includes the placement of two rock aprons totaling 162 square feet.

33. To place fill and relocate an unnamed tributary to East Branch of Perkiomen Creek (TSF) (Waterway S25) resulting in permanent impacts of 839 linear feet (4,675 square feet) with no temporary impacts.

34. To place fill within an unnamed tributary to East Branch of Perkiomen Creek (TSF) (Waterway S36) to facilitate a permanent stormwater management facility resulting in permanent impacts of 1,812 linear feet (7,168 square feet) with no temporary impacts.

35. To place fill for within wetland (E7) resulting in permanent impacts of 0.03 acre (1,307 square feet) of the PEM wetland.

36. To grade in wetland (E8) to facilitate a drainage swale resulting in permanent impact of 0.08 acre (3,361 square feet) of the PEM and PFO wetland.

37. To place fill within wetland (W14) resulting in permanent impacts of 0.09 acre (4,008 square feet) and temporary impacts of 0.20 acre (8,637 square feet) of the PEM wetland (W14).

38. To replace an existing 140.5-foot long, 48-inch RCCP stream enclosure with a 157.5-foot long, 36-inch high by 60-inch wide RCCP pipe culvert. Also, to grade the stream bank of an unnamed tributary to the East Branch of Perkiomen Creek (TSF) (Waterway S26) resulting in permanent impacts of 203 linear feet (927 square feet) and temporary impacts of 184 linear feet (1,104 square feet).

39. To replace an existing 132-foot long, 5-foot wide by 4-foot high RC box stream enclosure with a 228-foot long, 6-foot wide by 5-foot high RC box stream enclosure. Also, to place scour protection, within an unnamed tributary to East Branch of Perkiomen Creek (Waterway S27) resulting in permanent impacts of 218 linear feet (2,349 square feet) and temporary impacts of 277 linear feet (2,770

square feet). This work also includes the placement of two permanent stormwater rock aprons totaling 288 square feet.

40. To grade the stream bank of an unnamed tributary to East Branch of Perkiomen Creek (TSF) (Waterway S42) to facilitate the outlet for stormwater management conveyance resulting in permanent impacts of 33 linear feet (374 square feet) and temporary impacts of 32 linear feet (274 square feet).

41. To place fill within wetland (E14) resulting in permanent impacts of 0.004 acre (162 square feet) of PEM wetland.

42. To place fill and relocate an unnamed tributary to Ridge Valley Creek (HQ-TSF) (STR S38) resulting in permanent impacts of 467 linear feet (1,196 square feet) with no temporary impacts.

43. To grade the stream bank of an unnamed tributary to Ridge Valley Creek (HQ-TSF) (Waterway S29) to outlet the relocated Waterway S38 resulting in permanent impacts of 23 linear feet (406 square feet) with no temporary impacts.

44. To place fill and relocate an unnamed tributary to Ridge Valley Creek (HQ-TSF) (STR S33) to facilitate the construction of an emergency access road resulting in permanent impacts of 390 linear feet (3,154 square feet) with no temporary impacts.

45. To grade within wetland (E14) to facilitate the relocated channel of unnamed tributary to Ridge Valley Creek (HQ-TSF) (STR S33) resulting in permanent impacts of 0.009 acre (404 square feet) of PEM wetland (E15).

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)).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E63-699. Peters Township, 610 East McMurray Road, McMurray, PA 15317-3496. Peters Township, **Washington County**, Army Corps of Engineers Pittsburgh District.

To modify and maintain an existing stream enclosure consisting of an approximately 136-foot long, 8.5-foot by 7.5-foot concrete arch culvert conveying a tributary to Brush Run (WWF) beneath the Arrowhead (Montour) Trail (formerly B&O Railroad). Modifications include slip lining the existing arch with a 150-foot long, 7-foot diameter steel reinforced HDPE pipe and constructing a new headwall and endwall along with backfill to repair failing slopes. The project is located near the intersection of Qualil Run Road and Sugar Camp Road (S.R. 1004) (Bridgeville, PA Quadrangle Latitude: 40°17'3"; Longitude: -80°3'38") in Peters Township, Washington County.

E45-605. Verizon Pennsylvania LLC, 40 South Mercer Street, New Castle, PA 16101. Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an aerial communications cable attached to existing poles crossing Brodhead Creek (TSF, MF) and approximately 10 feet of adjacent wetlands (EV). The project is located at the end of Paper Mill Road (Stroudsburg, East Stroudsburg, PA Quadrangles Latitude: 41° 0' 0.66"; Longitude: -75° 8' 51.27") in Smithfield Township, Monroe County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E22-638: Dauphin County Commissioners, 2 South Second Street, 4th Floor, Harrisburg, PA 17101 in Susquehanna Township and Harrisburg City, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

Capital Area Greenbelt—Fort Hunter Connector. Installation and improvement of a 1.8-mile shared use path in the floodplain of the Susquehanna River (WWF, MF) along Front Street and Linglestown Road in Harrisburg, PA (Latitude: 40°19'45.9", Longitude: -76°54'31.8") for the purpose of a recreational trail. No wetlands will be impacted by this project.

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

E19-318. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Sugarloaf Township Ambulance Building, in Sugarloaf Township, **Columbia County**, ACOE Baltimore District (Elk Grove, PA Quadrangle; Latitude: 41°17'52.14"; Latitude 76°22'3.95").

To construct, operate and maintain 255 linear feet of R-8 riprap placed at a thickness of 63 inches over the entire length of the washout. The riprap will be placed on a 10-inch thick layer of AASHTO No. 1 filter stone, for a total thickness of 73 inches. Some excavation will be required to place the riprap at the required thickness and to create a more uniform streambank. During construction, an in-stream cofferdam will be placed to divert stream flows around the work area until it is stabilized with riprap. Stabilization is designed to accommodate the 100-year flood event. This project is located off of Central Road directly behind the Sugarloaf Township Ambulance Building This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E19-317. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Hollow Road, in Montour Township, **Columbia County**, ACOE Baltimore District (Catawissa, PA Quadrangle; Latitude: 40°58'2.7"; Latitude 76°28'32.3").

To remove the existing twin 24-inch culvert pipes and to construct, operate and maintain a new 60-inch reinforced concrete culvert crossing with an outlet apron constructed from R-6 Riprap for a distance of 22 feet beyond the outlet of the culvert pipe. This permit also authorizes the construction, operation and maintenance of 105 linear feet of R-6 riprap streambank protection placed along the left bank of an Unnamed Tributary to the Susquehanna River (CWF). Some excavation will be required to place the riprap at the required thickness and to create a more uniform streambank. During construction, an in-stream cofferdam will be placed to divert stream flows around the work areas until it is stabilized with either culvert installation or installation of riprap. Stabilization is designed to accommodate the 100-year flood event. This project is located 0.2 mile on Hollow Road from the intersection with SR 0042. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification

E19-316. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Orangeville Sewage Treatment Plant, in Orange-

ville Borough, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle N: 41°4'49"; W: -76°25'5").

To construct, operate and maintain 110 linear feet of R-7 riprap placed at a thickness of 45 inches over the entire length of the washout. The riprap will be placed on a 10-inch thick layer of AASHTO No. 1 filter stone, for a total thickness of 55 inches. Some excavation will be required to place the riprap at the required thickness and to create a more uniform streambank. During construction, an in-stream cofferdam will be placed to divert stream flows around the work area until it is stabilized with riprap. Stabilization is designed to accommodate the 100-year flood event. This project is located directly behind the Orangeville Sewage Treatment Plant located on Pine Street in Orangeville Borough. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E19-315. Columbia County Redevelopment Authority, 700 Sawmill Road, Suite 101, Bloomsburg, PA 17815. Sugarloaf Township Municipal Building Stabilization, in Sugarloaf Township, **Columbia County**, ACOE Baltimore District (Elk Grove, PA Quadrangle N: 41°16'26.33 inches; W: -76°22'45.53 inches).

To construct, operate and maintain 350 linear feet of R-8 riprap placed at a thickness of 63 inches over the entire length of the washout. The riprap will be placed on a 10-inch thick layer of AASHTO No. 1 filter stone, for a total thickness of 73 inches. Some excavation will be required to place the riprap at the required thickness and to create a more uniform streambank. During construction, an in-stream cofferdam will be placed to divert stream flows around the work area until it is stabilized with riprap. Stabilization is designed to accommodate the 100-year flood event. This project is located along Schoolhouse Drive behind the Sugarloaf Township Building. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E18-501: Renovo Energy Center LLC, 12011 Sunset Hills Road, Suite 110, Reston, VA 20190, Noyes, Chapman, and Leidy Townships; Renovo Borough, **Clinton County**, ACOE Baltimore District.

To construct and maintain:

1. a 16-inch diameter natural gas gathering line utilizing a Horizontal Directional Drill (HDD) crossing of Shintown Run (HQ-CWF, MF) impacting 30 square feet (Renovo West, PA Quadrangle 41.325708N, 77.814961W);
2. a temporary road crossing (Bucky Road) using an existing 20-foot long, 15-inch diameter HDPE pipe or a temporary bridge/log mat crossing an unnamed tributary to Swamp Draft (S6, HQ-CWF, MF) impacting 165 square feet (Renovo West, PA Quadrangle 41.333744N, 77.804875W);
3. a 16-inch diameter natural gas gathering line utilizing an HDD crossing of Drury Run (CWF, MF) impacting 44 square feet (Renovo West, PA Quadrangle 41.335903N, 77.783572W);
4. a 16-inch diameter natural gas gathering line utilizing an HDD crossing of Brewery Run (HQ-CWF, MF) impacting 56 square feet (Renovo West, PA Quadrangle 41.340125N, 77.770583W);
5. a 16-inch diameter natural gas gathering line utilizing an HDD crossing of an unnamed tributary to Brewery Run (S8, HQ-CWF, MF) impacting 18 square feet (Renovo West, PA Quadrangle 41.341636N, 77.765922W);

6. a temporary road crossing using a temporary bridge/log mat, and an open cut installation of a 16-inch diameter natural gas gathering line crossing an unnamed tributary to Brewery Run (S8-1, HQ-CWF, MF) impacting 266 square feet (Renovo West, PA Quadrangle 41.341631N, 77.764711W);

7. a temporary road crossing using a temporary bridge/log mat to be utilized for temporary laydown area, crossing an unnamed tributary to Brewery Run (IS-6, HQ-CWF, MF) impacting 152 square feet (Renovo West, PA Quadrangle 41.342356N, 77.762356W);

8. a permanent transmission line crossing an unnamed tributary to Brewery Run (IS-6, HQ-CWF, MF) having an aerial impact of 9,818 square feet (Renovo West, PA Quadrangle 41.342457N, 77.762577W);

9. a permanent transmission line crossing an unnamed tributary to Brewery Run (IS-6, HQ-CWF, MF) having an aerial impact of 10,289 square feet (Renovo West, PA Quadrangle 41.342764N, 77.763159W);

10. a temporary road crossing using a temporary bridge/log mat, and a 16-inch diameter natural gas gathering line crossing an unnamed tributary to the West Branch Susquehanna River (IS-9, WWF, MF) impacting 279 square feet (Renovo West, PA Quadrangle 41.333464N, 77.759264W);

11. a temporary road crossing using a 20-foot long, 18-inch diameter corrugated metal pipe as part of a temporary rock construction entrance, and a 16-inch diameter natural gas gathering line crossing an unnamed tributary to the West Branch Susquehanna River (IS-10, WWF, MF) impacting 125 square feet (Renovo West, PA Quadrangle 41.329836N, -77.755272W);

12. a temporary wood mat bridge to be utilized for temporary laydown area, crossing an exceptional value palustrine emergent wetland (PEM3, EV-PEM) impacting 2,768 square feet (Renovo West, PA Quadrangle 41.342181N, -77.763525W);

13. a permanent overhead transmission line crossing an exceptional value palustrine emergent wetland (PEM3, EV-PEM) impacting 2,102 square feet (Renovo West, PA Quadrangle 41.342316N, 77.763544W);

14. a temporary wood mat bridge to be utilized for temporary laydown area, crossing an exceptional value palustrine emergent wetland (PEM2, EV-PEM) impacting 1,484 square feet (Renovo West PA Quadrangle 41.342608N, 77.761461W);

15. two permanent overhead transmission lines crossing an exceptional value palustrine emergent wetland (PEM2, EV-PEM) impacting 7,830 square feet (Renovo West PA Quadrangle 41.342764N, 77.761844W);

16. an access road crossing, using a 75-foot long, 15-inch diameter culvert, of an unnamed tributary to Brewery Run (IS-10B, HQ-CWF, MF) temporarily impacting 154 square feet and permanently impacting 139 square feet (Renovo West, PA Quadrangle 41.342704N, 77.763535W);

17. grading a stormwater basin and clearing vegetation in the floodplain of an unnamed tributary to Brewery Run (IS-10B, HQ-CWF, MF) temporarily impacting 12,225 square feet and permanently impacting 13,263 square feet of the stream's floodplain (Renovo West, PA Quadrangle 41.343623N, 77.763528W);

18. an access road crossing, using a 65-foot long, 24-inch diameter culvert, of an unnamed tributary to Brewery Run (IS-6, HQ-CWF, MF) temporarily impacting

51 square feet and permanently impacting 193 square feet below the waterline and impacting 4,688 square feet of the floodplain (Renovo West, PA Quadrangle 41.342843N, 77.763456W);

19. a permanent electrical substation and corresponding berm excavating 200 linear feet (700 square feet), filling 25 linear feet (31 square feet), and impacting 31,583 square feet of the floodplain of an unnamed tributary to Brewery Run (IS-8, HQ-CWF, MF) and constructing a new step pool channel to re-route its flow into IS-6 (Renovo West, PA Quadrangle 41.343124N, 77.762270W);

20. a permanent overhead transmission line crossing the floodplain of an unnamed tributary to the West Branch Susquehanna River (S-11, WWF, MF) permanently impacting 2,053 square feet of the floodplain (Renovo West, PA Quadrangle 41.337452N, 77.761402W);

21. a permanent overhead transmission line and temporary access road crossing the floodplain of an unnamed tributary to the West Branch Susquehanna River (IS-9, WWF, MF) permanently impacting 22,880 square feet and temporarily impacting 3,093 square feet of the stream's floodplain (Renovo West, PA Quadrangle 41.333523N, 77.759276W);

22. a permanent overhead transmission line crossing the floodplain of two unnamed tributaries to the West Branch Susquehanna River (IS-4 and IS-10, WWF, MF) permanently impacting 20,452 square feet of their floodplains (Renovo West, PA Quadrangle 41.329983N, 77.755260W);

23. filling in 225 linear feet (2,340 square feet) of an unnamed tributary to the West Branch Susquehanna River (IS-9A, WWF, MF) and re-routing flow to a 425-foot section of 48-inch diameter HDPE culvert that drains to the linear foot long open trapezoid channel, which is part of Encroachment # 26 (Renovo West, PA Quadrangle 41.329521N, 77.755568W);

24. a permanent replacement of a collapsed 36-inch RCP culvert with a 550-foot long, 36-inch diameter HDPE culvert on an unnamed tributary to the West Branch Susquehanna River (IS-9B, WWF, MF) impacting 6,625 square feet below the waterline and 66,476 square feet of its floodplain (Renovo West, PA Quadrangle 41.329091N, 77.747467W);

25. a permanent conversion of culvert flow to 222-foot-long open channel flow of an unnamed tributary to the West Branch Susquehanna River (Culvert downstream of IS-10, WWF, MF) impacting up to 973 square feet (Renovo West, PA Quadrangle 41.328230N, 77.758921W);

26. abandonment of approximately 1,115 linear feet of culvert in poor condition of an unnamed tributary to the West Branch Susquehanna River (Culvert downstream of IS-9A, WWF, MF) and re-routing flow through a proposed 48-inch culvert and 910 linear foot long open trapezoid channel (also called the East channel), impacting 4,462 square feet below the waterline and 25,163 square feet of the floodplain (Renovo West, PA Quadrangle 41.329316N, 77.753087W);

27. a culvert replacement of approximately 725 linear feet of 30-inch diameter clay pipe in poor condition with 725 linear feet of 36-inch diameter HDPE culvert of an unnamed tributary to the West Branch Susquehanna River (Culvert upstream of IS-9B, WWF, MF) temporarily impacting 2,029 square feet (Renovo West, PA Quadrangle 41.329178N, 77.750173W);

28. a culvert replacement of approximately 175 linear feet of existing 36-inch diameter RCP with 175 linear feet of 36-inch diameter HDPE culvert of an unnamed tributary to the West Branch Susquehanna River (Culvert downstream of IS-9B, WWF, MF) temporarily impacting 700 square feet (Renovo West, PA 41.329069N, 77.746164W);

29. a culvert replacement of approximately 3,475 linear feet of concrete box and brick culvert in poor condition with 3,475 linear feet of 36-inch diameter HDPE culvert of an unnamed tributary to the West Branch Susquehanna River (Culvert downstream of IS-10, WWF, MF) temporarily impacting 3,153 square feet (Renovo West, PA Quadrangle 41.327621N, 77.759147W);

30. a permanent intake and discharge structure, including associated piping in the West Branch Susquehanna River (WWF, MF) impacting 10,782 square feet below the waterline and 9,884 square feet of its floodplain (Renovo West, PA Quadrangle 41.324185N, 77.755356W);

31. 500 cubic yards of clean fill to create an access road on top of an edge-of-water gravel-bar in the left 100-year floodway and above the normal water level of the West Branch Susquehanna River (WWF, MF) impacting 2,221 square feet of palustrine forested wetland and 1,760 square feet of palustrine scrub shrub wetland to provide access to the intake/outfall area (Renovo West, PA Quadrangle 41.324336N, 77.754734W); located in Noyes, Chapman, and Leidy Townships; Renovo Borough, Clinton County, ACOE Baltimore District.

The project will result in 17,070 square feet (0.39 acre) of temporary stream impacts, 16,393 square feet (0.38 acre) of permanent stream impacts, 4,252 square feet (0.10 acre) of temporary wetland impacts, and 4,016 square feet (0.09 acre) of permanent conversion wetland impacts all for the purpose of installing natural gas gathering lines, associated access roadways, meter and pressure reducing valve pads, aerial transmission lines, switchyards, intake/discharge line, and power plant facility. Perennial streams (with Aquatic Life Use Designation) found within the study area include: Dry Run (High-Quality Cold Water Fishery), Shintown Run (High-Quality Cold Water Fishery), Drury Run (Cold Water Fishery), Brewery Run (High-Quality Cold Water Fishery), Twomile Run (Trout Stock Fishery), and West Branch Susquehanna River (Warm Water Fishery). This permit also includes 401 Water Quality Certification.

E18-496. Doug Nicholas, Nicholas Meats LLC, 508 East Valley Road, PO Box 95, Loganton, PA 17747. Nicholas Meats LLC Stream Impacts, in Green Township, Clinton County, ACOE Baltimore District (Loganton, PA Quadrangle N: 41°02'10.7"; W: 77°17' 12.4').

To construct and maintain: 1) an intermittent stream in a 468-foot-long 36-inch diameter RCP 100-year storm event safe enclosure with the associated catch basin drop structures, 12-inch diameter perforated HDPE underdrains, riprap outfall and the clean-fill cover to fill-in an area west of the Nicholas Meat Plant to create more relatively-flat work area, 2) a relocated 271-foot-long 3-foot deep meandering stream channel immediately downstream of the stream enclosure outlet and having a new end-of-stream-channel of the intermittent channel 45 feet to the west and 60 feet to the north of the existing end-of-stream-channel that outlets to the same high-infiltration karst-topography dense grass field (does not have a visible confluence with Fishing Creek), 3) a stormwater basin outfall located at the downstream end

of the relocated channel, 4) a stormwater basin outfall on the right stream bank of Fishing Creek near the south-eastern property corner, 5) 3.13 acres of forested riparian buffer offset (720 new trees) next to/near by the intermittent stream and Fishing Creek to provide mitigation for the stream enclosure and stream relocation. This permit also includes 401 Water Quality Certification.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1746, West Ridge Christian Community Church, 100 Gorwood Drive, Coraopolis, PA 15108, Findlay Township, Allegheny County, Pittsburgh ACOE District.

Has been given consent to:

Place and maintain fill in 0.492 acre of the floodway of Montour Run (TSF) for the purpose of constructing a community park which includes a playground, restrooms, accessible walking trail, picnic pavilions & accessible parking lot on a 13.73-acre site in Findlay Township, Allegheny County. The project is located at the intersection of Cliff Mine Road and McClaren Road. (Oakdale Quadrangle, Latitude: 40°27'20.6", Longitude: -80°14' 52.6"; Sub-basin: 20G; Pittsburgh Corps District).

E63-692, Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17057, Cecil Township, Washington County, Pittsburgh ACOE District.

Has been given consent to:

1. Relocate and maintain 561 LF of an Unnamed Tributary (UNT) to McPherson Creek (aka UNT 1 to McPherson Creek) (WWF);

2. Construct and maintain a 225' × 4' CMP culvert, headwall/endwalls, and riprap apron in a UNT to McPherson Creek (aka UNT 1 to McPherson Creek) (WWF) which will impact a total of 277 LF of stream channel;

3. Construct and maintain a 45.3 LF extension of an existing 6' diameter culvert in a UNT to McPherson Creek (aka UNT 1 to Chartiers Creek) (WWF);

4. Relocate and maintain 98 LF of a UNT to Chartiers Creek (aka UNT2 to Chartiers Creek) (WWF);

5. Relocate and maintain 13 LF of a UNT to Chartiers Creek (aka UNT1 to Chartiers Creek) (WWF);

6. Replace and maintain an existing 71.5' × 2.5' culvert with a 110' × 4.0' culvert and riprap apron in a UNT to McPherson Creek (aka UNT5 to McPherson Creek) (WWF);

7. Place and maintain fill in 13 LF of a UNT to McPherson Creek (aka C2-2-UNTF) (WWF);

8. Place and maintain fill in 21 LF of a UNT to McPherson Creek (aka C2-2-UNTE) (WWF);

9. Place and maintain fill in 181 LF of a UNT to McPherson Creek (aka C2-2-UNTD) (WWF);

10. Place and maintain fill in 50 LF of a UNT to UNT to McPherson Creek (aka C2-1-UNTM) (WWF);

11. Place and maintain fill in 0.11 acre of PEM and PFO wetlands in the Chartiers Creek and McPherson Creek watersheds (WWF);

12. Install and maintain road associated stormwater facilities and outfalls in the Chartiers Creek and McPherson Creek Watersheds (WWF).

In association with reconstructing/realigning Morganza Road (SR 1009), Morgan Road (T-871, and Baker Road (T-787) in association with construction of a new section of the Pennsylvania Turnpike, as a component of the overall construction of a new 13.3-mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S. Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). The structures and activities requiring authorization for Section 55C2-2 in Cecil Township, Washington County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 18' 40" Longitude: -80° 8' 57" will permanently impact a total of approximately 1,393 linear feet (LF) of various watercourses, 0.11 acre of wetland, and temporarily impact a total of approximately 902 LF of various watercourses and 0.004 acre of PEM wetland.

To compensate for the watercourse impacts associated with Section 55C2-2 of the Southern Beltway Project, the stream mitigation plan includes the reconstruction, rehabilitation, and enhancement of approximately 841 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 7.455 acres wetlands. As compensation for these wetland impacts, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

E63-695; Plenary Walsh Keystone Partners; Park West Two, Third Floor, 2000 Cliff Mine Road, Pittsburgh, PA 15275; Amwell Township; **Washington County;** Pittsburgh ACOE District.

Has been given consent to:

1. Remove an existing steel I-beam bridge (Span 20.8 feet, Length 27.71 feet, Under-clearance 3.74 feet) over Horne Run (TSF); and
2. Construct and maintain a replacement concrete box culvert (Span 22 feet, Length 41.1 feet, Under-clearance 4.0 feet) over Horne Run (TSF).

The project also proposes to relocate one small tributary (UNT to Horne Run). This relocation is directly related to incidental activities immediately adjacent to the upstream waterway opening of bridges that are necessary to support the structure. Because of this the UNT to Horne Run, which is located immediately adjacent to the upstream opening, is being realigned. As mitigation for the permanent impacts, the stream channel will be reconstructed on site. The proposed length of the relocated channel is 130 linear feet. For the purposes of replacing the existing S.R. 2007 Segment 0020 (Banetown Rd) bridge, a structurally deficient bridge over Horne Run (TSF) on the existing alignment. The project will cumulatively result in 181 linear feet of permanent stream impacts to Horne Run and UNT to Horne Run. The project is located at the end of Banetown Road in Amwell Township (Amity, PA USGS topographic quadrangle; Latitude: 40° 2' 21.699", Longitude: -80° 13' 20.6688"; Sub-basin: 19B; Pittsburgh Corps District) in Amwell Township, Washington County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESG17-083-0001—E07-R
Applicant Seneca Resources Corporation
Contact Doulgas Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County McKean Township(s) Sergeant
Receiving Stream(s) and Classification(s) Gum Boot Run & Buck Run CWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX12-117-0019(02)
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 150 N Dairy Ashford, E1296E
City, State, Zip Houston, TX 77079
County Tioga
Township(s) Shippen
Receiving Stream(s) and Classification(s) Darling Run (HQ-CWF)

ESCGP-2 # ESG29-081-15-0035(01)
Applicant Name Seneca Resources Corp
Contact Person Doug Kepler
Address 51 Zents Blvd
City, State, Zip Brookville, PA 15825
County Lycoming
Township(s) Gamble
Receiving Stream(s) and Classification(s) Mill Ck (EV)
Secondary—Loyalsock Ck (EV)

ESCGP-2 # ESG29-035-17-0004
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 200
City, State, Zip Williamsport, PA 17701

County Clinton
 Township(s) Grugan
 Receiving Stream(s) and Classification(s) UNT to Right
 Branch Hyner Run (EV); Right Branch Hyner Run
 (EV);
 Secondary—Right Branch Hyner Run (EV); Hyner Run
 (EV)

ESCGP-2 # ESX29-105-17-0020
 Applicant Name JKLM Energy LLC
 Contact Person Scott Blauvelt
 Address 2200 Georgetown Dr, Suite 500
 City, State, Zip Sewickley, PA 15143
 County Potter
 Township(s) Eulalia
 Receiving Stream(s) and Classification(s) UNTs to Reese
 Hollow (CWF); Reese Hollow (CWF)
 Secondary—Reese Hollow (CWF); Allegheny River
 (CWF)

ESCGP-2 # ESX29-105-17-0019
 Applicant Name JKLM Energy LLC
 Contact Person Scott Blauvelt
 Address 2200 Georgetown Dr, Suite 500
 City, State, Zip Sewickley, PA 15143
 County Potter
 Township(s) Eulalia
 Receiving Stream(s) and Classification(s) UNTs to Reese
 Hollow (CWF); Reese Hollow (CWF)
 Secondary—Reese Hollow (CWF); Allegheny River
 (CWF)

SPECIAL NOTICES

Air Quality; Approval of a Reasonably Available Control Technology (RACT II) plan for Foam Fabricators Ltd. located in South Centre Township, Columbia County

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

*Contact: Muhammad Q. Zaman, Program Manager;
 570-327-3648.*

Operating Permit 19-00002:

In accordance with 25 Pa. Code §§ 129.96—129.100, the Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the facility owned and operated Foam Fabricators Ltd. located in South Centre Township, Columbia County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (19-00002) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal. Those excluded requirements include the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
Expandable Polystyrene Foam Processing Operation (P101, P103, P104, P105)	The expandable polystyrene beads used at the facility shall not contain more than 6.0% pentane, by weight on a monthly weighted average basis. VOC emissions from the Expandable Polystyrene Foam Processing Operation shall not exceed 85.00 tons per 12 consecutive month period.

Public hearing. A public hearing will be held if requested by November 20, 2017 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on November 30, 2017, at 10:00 AM at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Megan Lehman at 570-327-3659. The last day to pre-register to speak at a hearing, if one is held, will be November 20, 2017.

Any updates made to any aspect of the hearing, including whether a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/Northcentral-Regional-Office/Pages/default.aspx>.

Contact Megan Lehman at 570-327-3659 or monitor the Department's site to determine if a hearing will be held. Persons wishing to present testimony at the hearing should contact Megan Lehman at 570-327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. A 30-day comment period from October 21, 2017 will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Appointments for scheduling a review may be made by calling the Department at 570-327-0550.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Megan Lehman at 570-327-3659 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

NPDES Permit; Denial of an Application for the Renewal

Northwest Regional Office: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481. Phone: 814.332.6942.

The Department of Environmental Protection (Department) has tentatively made a decision to deny an application for the renewal of an individual minor sewage NPDES permit, PA0222879, submitted by Hickory Creek Wilderness Ranch, PO Box 93 158 Main Street Tidioute, PA 16351-0093. The application requested continuation of permit coverage for the discharge of treated sewage to Camp Run (16-F) in Limestone Township, Warren County. The decision to tentatively deny the application was based on compliance status.

Notice of Public Hearing: Chapter 105 Water Obstruction and Encroachment Permit Applications; WQC Request; Birdsboro Power and Birdsboro Pipeline Project; Berks County

The Department of Environmental Protection (Department) will hold a public hearing on Thursday, November 2, 2017 beginning at 6:30pm at the Boone Area Library, 129 N. Mill Street, Birdsboro, PA 19508, to collect comments from the public on the Chapter 105 Water Obstruction and Encroachment permit (Ch. 105) applications, the Erosion and Sediment Control General Permit (ESCGP-2) application, and the DTE request for Water Quality Certification currently under technical review for the proposed Birdsboro Power, LLC (Birdsboro Power) natural gas power generation facility; DTE Midstream, LLC (DTE) natural gas transmission Birdsboro Pipeline; and the related water supply line proposed by the Reading Area Water Authority (RAWA). The projects are located in Berks County, Pennsylvania. The Ch. 105 permits are required for proposed activities located in, along, across or projecting into a watercourse, floodway or body of water, including wetlands. The ESCGP-2 is needed for construction of the DTE natural gas transmission pipe line.

Birdsboro Power, LLC submitted a Ch. 105 application, Permit No. E06-716, to DEP for activities associated with construction of their proposed Birdsboro Power plant, including aboveground electric transmission lines. Notice of the Chapter 105 permit applications was published by DEP on Saturday, June 3, 2017.

DTE submitted a Ch. 105 permit application, Permit No. E06-717 and an ESCGP-2, Permit No. ESG0001117001, for activities associated with construction of their proposed Birdsboro Pipeline to supply natural gas to the Birdsboro Power plant site. The Birdsboro Pipeline is also a Federal Energy Regulatory Commission (FERC) regulated project, FERC Docket No. CP17-409. DTE submitted a request for Water Quality Certification to DEP for the Birdsboro Pipeline project, DEP File No. WQ-03-003, as required by Section 401 of the Federal Clean Water Act and as part of the FERC regulatory filing process. Notice of the Chapter 105 permit applications was published by

DEP on Saturday, June 3, 2017. Notice of the WQC request was published by DEP on Saturday, August 12, 2017.

RAWA submitted Ch. 105 permit applications, Permit No. E06-718 and GP-05-06-16-202 through 207, for activities associated with construction of their proposed water supply pipeline to the Birdsboro Power plant site. Notice of the Chapter 105 permit application was published by DEP on Saturday, July 1, 2017.

During the hearing, each speaker will have the opportunity to present up to five (5) minutes of verbal testimony. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time to other speakers will be prohibited, and groups are asked to designate one speaker. Presenters are asked to keep all comments relevant and on topic. All presenters should bring at least one copy of their written comments and exhibits for submission to the Department.

Those who wish to present testimony are asked to register in advance by contacting DEP's Southcentral Regional Office. Registration will be taken through 12:00 PM on Wednesday, November 1. Individuals will be called to testify in the order they registered. If time permits, those who did not register in advance will be given the opportunity to testify.

To register please contact John Repetz, Community Relations Coordinator, 717-705-4904, jrepetz@pa.gov.

The Department will accept written comments on the Chapter 105 Water Obstruction and Encroachment permit applications and the DTE WQC request through Monday, November 6, 2017. The Department will accept written comments on the DTE ESCGP-2 application as described in the separate public notice for the ESCGP-2, published in this issue of the *Pennsylvania Bulletin*. Comments on the applications can be emailed or sent to the Department of Environmental Protection, Southcentral Regional Office, Waterways and Wetlands Program, 909 Elmerton Ave., Harrisburg, PA 17110, RA-EPWW-SCRO@PA.GOV.

Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2), Notice of Intent (NOI) under Technical Review for DTE Midstream Appalachia, LLC's Birdsboro Pipeline Project

The Department of Environmental Protection (DEP) provides notice that the Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2), Notice of Intent (NOI) is currently under technical review for DTE Midstream Appalachia, LLC's Birdsboro Pipeline Project, including the associated valve sites, access roads and other ancillary earth disturbance activities.

This authorization of coverage is required for earth disturbance activities associated with oil and gas exploration, production, processing or treatment operations or transmission facilities when earth disturbance is five acres or greater. Review of this application is being coordinated by the Southcentral Regional Office and with the Berks County Conservation District.

The ESCGP2 application under review is as follows:

<i>ESCGP2 Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>DEP Regional Office</i>
ESG00011170001	DTE Midstream Appalachia, LLC 333 Technology Drive Suite 255 Canonsburg, PA 15317	Berks	Southcentral Region

More detailed information regarding the ESCGP-2 NOI related to this proposed project is available in the DEP regional office. Please contact the DEP Southcentral Region file review coordinator at 717.705.4732 to request a file review of this ESCGP-2 NOI. The Department will accept written comments on this ESCGP-2 NOI through Tuesday, November 20, 2017. Comments on the NOI can be emailed or sent via postal mail to the Department of Environmental Protection, Southcentral Regional Office, Waterways and Wetlands Program, 909 Elmerton Ave, Harrisburg, PA 17110, RA-EPWW-SCRO@PA.GOV.

**Final State Water Quality Certification
Required by Section 401 of the Clean Water Act for
the Equitrans, L.P. H-150 Bare Pipe
Replacement Project**

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, 412-442-4000.

WQ05-015, Equitrans, L.P. (Applicant), 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222-3114. H-150 Bare Pipe Replacement Project (Project), in Center and Franklin Townships, **Greene County**, in the ACOE Pittsburgh District. The Project starts approximately 0.5 mile southeast of Rogersville, PA, Center Township, Greene County (Rogersville, PA Quadrangle Latitude: 39.877139'; Longitude: -80.267023') and ends at the Orndorff Interconnect, approximately 0.1 mile south of the intersection of Smith Creek Road and Kirby Road, Franklin Township, Greene County (Oak Forest, PA Quadrangle Latitude: 39.828867'; Longitude: -80.206432').

On January 30, 1988, Equitrans, L.P. received an Order Issuing Certificate from the Federal Energy Regulatory Commission (FERC) authorizing Equitrans to abandon, construct and operate certain facilities as part of the H-150 Pipeline Project in Greene County, Pennsylvania (FERC Docket No. CP89-676). The activities described in this request are covered under Equitrans' automatic blanket certificate authority and reported on yearly.

On July 13, 2017, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

To allow for the modernization of the H-150 pipeline for integrity assessment through the use of in-line inspection, Equitrans proposes to replace approximately 5 miles of 12-inch diameter bare natural gas pipe with coated, 12-inch diameter natural gas pipe within the existing right-of-way. The Project is part of Equitrans' compliance program and is required to maintain the integrity of the operating system. The use of lift and lay construction for this project means that the replacement pipeline will be located in the same trench as the existing line. The existing 12-inch pipeline will be taken out of service,

purged, and removed. The new pipeline will utilize the same permanent right-of-way as the existing line during construction; there are no deviations anticipated. This Project includes one cathodic protection ground bed that will be installed along the proposed pipeline. The project will utilize traditional open cut or conventional bore construction techniques for all twenty-three stream and wetland crossing locations. The twenty-three stream and wetland crossings occur within the following receiving waters: South Fork Tenmile Creek, Woods Run, Pursley Creek, Stewart Run, Smith Creek.

There are eight temporary access roads planned for the Project. Four of the proposed temporary access roads will utilize existing unpaved roads or driveways; one will require an extension. The remaining four proposed temporary access roads will be constructed to support this project and returned to preexisting conditions upon completion. The pipeline will be installed using a typical 100-foot wide limit of disturbance (LOD) for pipeline construction with areas of temporary work space adjacent to the LOD, and a typical 40-foot LOD for the access roads to allow access to the pipeline corridor. The construction ROW will be reduced to a 50-foot-width at streams and wetlands. The permanent ROW width will be 50 feet centered on the pipeline. There is no anticipated permanent increase in impervious area or in stormwater runoff due to the construction of the pipeline.

The Project, as proposed, includes the replacement of an approximately 5 mile long section of 12-inch pipeline for the purpose of transporting natural gas from a compressor station, located approximately 0.5 mile south-east of Rogersville, PA, Center Township, Greene County to the Orndorff Interconnect, approximately 0.1 mile south of the intersection of Smith Creek Road and Kirby Road, Franklin Township, Greene County. The Project, as proposed, will require approximately 72 acres of earth disturbance, and impacts to 520 linear feet of Unnamed Tributaries of South Fork of Ten Mile Creek (HQ-WWF), Unnamed Tributaries to Woods Run (HQ-WWF), Woods Run (HQ-WWF), Pursley Creek (HQ-WWF), Unnamed Tributary of Pursley Creek (HQ-WWF), and Unnamed Tributary of Stewart Run (HQ-WWF), 1.33 acre of floodway, 1.88 acre of temporary PEM wetland impacts, and 0.04 acre of PEM permanent impacts.

The Department published notice of its proposed State water quality certification at 47 Pa.B. 4834 (August 19, 2017) and received no comments from the public.

The Department certifies to Applicant that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Applicant complies with the permitting programs, criteria and conditions established pursuant to State law:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S.

§§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Dana Drake, Program Manager, Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department

may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

[Pa.B. Doc. No. 17-1734. Filed for public inspection October 20, 2017, 9:00 a.m.]

Bid Opportunity

OSM 26(2783)101.1, Abandoned Mine Reclamation Project, Everson, Upper Tyrone Township, Fayette County. The principal items of work and approximate quantities include: overburden drilling and casing, 675 linear feet; 4" air rotary drilling, 702 linear feet; 4" nominal steel or PVC injection casing, 253 linear feet; and injection of grout material, 2,851 tons.

This bid issues on October 27, 2017, and bids will be opened on November 30, 2017, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under 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 for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1735. Filed for public inspection October 20, 2017, 9:00 a.m.]

Bid Opportunity

OSM 54(3103)103.1, Abandoned Mine Reclamation Project, Quick Subsidence—Phase 2 Drilling, Mahanoy Township, Schuylkill County. The principal items of work and approximate quantities include: clearing and grubbing, 4,840 square yards; vertical air rotary drilling to accommodate 4" casing, 1,773 linear feet; 4" I.D. steel or PVC casing, 1,122 linear feet; fill material injection—flowable fill material through boreholes, 500 cubic yards; fill material injection—concrete fill material

through boreholes, 500 cubic yards; grading, 2,300 cubic yards; geosynthetic clay liner, 605 square yards; topsoil, 440 tons; and seeding, 6,480 square yards.

This bid issues on October 20, 2017, and bids will be opened on November 16, 2017, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under 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 for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1736. Filed for public inspection October 20, 2017, 9:00 a.m.]

Extension of NPDES General Permit for Stormwater Discharges Associated with Construction Activities (PAG-02)

Under the authority of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and 25 Pa. Code § 92a.7 (relating to duration of permits and continuation of expiring permits), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities (PAG-02).

The existing PAG-02 General Permit will expire on December 7, 2017. By this notice, the Department is administratively extending the PAG-02 General Permit to December 7, 2018. Persons that are operating under the PAG-02 General Permit may continue to operate until December 7, 2018, or the expiration date of coverage identified on the permit coverage approval page, whichever is later. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-02 General Permit. The Department expects to reissue the General Permit prior to December 7, 2018. This extension authorizes use of PAG-02 by those existing permittees who receive authorization prior to December 7, 2017. Permit applicants after December 7, 2017, will be required to obtain an individual permit until PAG-02 is renewed.

To access the General Permit and related documents, visit <http://www.eLibrary.dep.state.pa.us/dsweb/HomePage> (select "Permit and Authorization Packages," then "Waterways Engineering and Wetlands," then "PAG-02 NPDES General Permit for Discharges Associated with Construction Activities").

Questions regarding the PAG-02 General Permit for Stormwater Discharges Associated with Construction Activities may be directed to Sean Furjanic, PE at (717) 787-2137 or sefurjanic@pa.gov.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1737. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Lawrence County

The Department of General Services (Department) will accept bids for the purchase of the former New Castle Youth Development Center, consisting of 143.34 ± acres of land and 13 buildings totaling 236,444 ± square feet, located at 1745 Frew Mill Road, New Castle, Shenango Township, Lawrence County. Bids are due Tuesday, December 5, 2017. Interested parties wishing to receive a copy of Solicitation No. 94911 should view the Department's web site at www.dgs.pa.gov or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 17-1738. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Marijuana Advisory Board Meeting

The Department of Health (Department) gives notice that the Medical Marijuana Advisory Board (Board) will meet on Monday, November 6, 2017, from 10 a.m. to 12 p.m. in Hearing Room 1, Keystone Building, 400 North Street, Harrisburg, PA. This is the introductory meeting of the Board. The Board's purpose under the Medical Marijuana Act (act) (35 P.S. §§ 10231.101—10231.2110), among other things is to: examine and analyze the statutory and regulatory law relating to medical marijuana in this Commonwealth; examine and analyze the law and events in other states and the Nation with respect to medical marijuana; accept and review written comments from individuals and organizations about medical marijuana; and 2 years after the effective date of the act issue a written report to the Governor, the Senate and the House of Representatives.

For additional information, including an alternative format of this notice (for example, large print, audiotape, Braille) or for persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so, contact Holli Senior, Special Assistant, Office of Medical Marijuana, 625 Forster Street, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3047, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 17-1739. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Incentive Payments Posted for Cost Reports Ending December 31, 2016

This notice announces that the Department of Human Services (Department) made Disproportionate Share incentive payments to each qualified nursing facility with an acceptance letter mailed by the Department on or before August 2, 2017, for 12-month MA-11 Cost Reports ending December 31, 2016. Payment information was posted on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/disproportionateshareincentivepaymentsdisproportionateshare%20Incentive%20Payments/index.htm>.

Appeals

Individuals who wish to appeal must file a written request for a hearing with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of publication of this notice. A copy should also be sent to the Department of Human Services, Office of Long-Term Living, Attention: Bureau of Finance, Division of Rate Setting and Auditing, 555 Walnut Street, Forum Place, 8th Floor, P.O. Box 8025, Harrisburg, PA 17105-8025 and to the Department of Human Services, Office of General Counsel, Health and Welfare Building, Third Floor West, P.O. Box 2675, Harrisburg, PA 17105-2675.

Appeals of Medical Assistance providers are governed by 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures). Individuals should review these regulations carefully. Among other things, the regulations specify required information to include in a written request for hearing, and how the Bureau of Hearings and Appeals will determine whether a request for hearing was filed on time.

Questions or Comments

For questions or comments regarding these payments, contact the Department of Human Services, Office of Long-Term Living, Bureau of Finance, Attention: Vasiliki Avery, (717) 787-1171, RA-PWOLTLNFRates@pa.gov.

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1185. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-1740. Filed for public inspection October 20, 2017, 9:00 a.m.]

Payments to Nonpublic and County Nursing Facilities; Supplemental Ventilator Care and Tracheostomy Care Payments for June 2017

This notice announces that the Department of Human Services (Department) made supplemental ventilator care and tracheostomy care payments to qualifying Medical Assistance (MA) nonpublic and county nursing facilities for June 2017.

Payment Information

The Department made supplemental ventilator care and tracheostomy care payments to qualifying nonpublic and county nursing facilities. Payment information for

the supplemental ventilator care and tracheostomy care payment to each qualified nonpublic and county nursing facility for June 2017 was posted on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/>.

Appeals

If a facility wishes to appeal, the facility must file a written request for a hearing with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of the publication of this notice. A copy should be sent to the Department's Office of Long-Term Living, Attention: Bureau of Finance, Division of Rate Setting and Auditing, P.O. Box 8025, Harrisburg, PA 17105-8025 and to the Department's Office of General Counsel, Health and Welfare Building, Third Floor West, P.O. Box 2675, Harrisburg, PA 17105-2675. Appeals of MA providers are governed by 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures). Individuals should review these regulations carefully. Among other things, the regulations specify required information to include in a written request for hearing, and how the Bureau of Hearings and Appeals will determine whether a request for hearing was filed on time.

Questions or Comments

For questions or comments regarding these payments, contact the Department of Human Services, Office of Long-Term Living, Bureau of Finance, Attention: Vasiliki Avery, (717) 787-1171, RA-PWOLTLNFRates@pa.gov.

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1187. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-1741. Filed for public inspection October 20, 2017, 9:00 a.m.]

Payments to Nursing Facilities; Health Care-Associated Infection Payments Posted for Cost Reports with Acceptance Letters Mailed on or Before August 4, 2017

This notice announces that the Department of Human Services (Department) made health care-associated infection (HAI) payments to each qualified nursing facility for MA-11 Cost Reports with acceptance letters mailed on or before August 4, 2017.

Payment Information

Payment information for the Medical Assistance (MA) portion of the annual HAI surcharge for MA-11 cost reports with acceptance letters mailed by the Department on or before August 4, 2017, is posted on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/index.htm>.

Appeals

If a facility wishes to appeal, they must file a written request for a hearing with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of publication of this notice. A copy should be sent to the Department of Human Services, Office of Long-Term Living, Attention: Bureau of Finance, Division of Rate Setting and Auditing, 555 Walnut Street, Forum Place, 6th Floor, P.O. Box 8025, Harrisburg, PA 17105-8025 and

to the Department's Office of General Counsel, Health and Welfare Building, Third Floor West, P.O. Box 2675, Harrisburg, PA 17105-2675.

Appeals of MA providers are governed by 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures). Individuals should review these regulations carefully. Among other things, they specify required information to include in a written request for hearing, and how the Bureau of Hearings and Appeals will determine whether a request for hearing was filed on time.

Questions or Comments

For questions or comments regarding these payments, contact the Department of Human Services, Office of Long-Term Living, Bureau of Finance, Attention: Vasiliki Avery, (717) 787-1171, RA-PWOLTLNFRates@pa.gov.

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1186. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-1742. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on November 1, 2017, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, Room E-100, 1st Floor, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at www.dli.state.pa.us (select "Uniform Construction Code," then "UCC Review & Advisory Council").

Questions concerning this meeting may be directed to Cindy Holtry at (717) 783-4560.

W. GERARD OLEKSIK,
Acting Secretary

[Pa.B. Doc. No. 17-1743. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$100,000 Wish List Instant Lottery Game 1307

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 \$100,000 Wish List (hereinafter "\$100,000 Wish List"). The game number is PA-1307.

2. *Price:* The price of a \$100,000 Wish List instant lottery game ticket is \$5.

3. *Play Symbols:* Each \$100,000 Wish List instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY), Santa (SANTA) symbol, \$100 Symbol (WIN100) symbol and a Wish List (\$100K) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$100,000. The player can win up to 12 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Very Merry Second-Chance Drawing for which non-winning \$100,000 Wish List instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 12,600,000 tickets will be printed for the \$100,000 Wish List instant lottery game.

8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wish List (\$100K) symbol, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under that Wish List (\$100K) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols 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.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols 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.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$100 Symbol (WIN100) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that \$100 Symbol (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol,

and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (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.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (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.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (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.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Santa (SANTA) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets</i>
\$5 w/ SANTA	\$5	17.14
\$5	\$5	17.14
\$5 × 2	\$10	60
(\$5 w/ SANTA) + \$5	\$10	60
\$10 w/ SANTA	\$10	60
\$10	\$10	60
\$5 × 4	\$20	600
\$10 × 2	\$20	600
((\$5 w/ SANTA) × 2) + (\$5 × 2)	\$20	600
(\$5 w/ SANTA) × 4	\$20	600
\$20 w/ SANTA	\$20	60
\$20	\$20	600
\$5 × 10	\$50	300
\$10 × 5	\$50	66.67
((\$5 w/ SANTA) × 6) + (\$10 × 2)	\$50	600
\$50 w/ SANTA	\$50	600
\$50	\$50	600
\$10 × 10	\$100	12,000

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 12,600,000 Tickets	
\$20 × 5	\$100	12,000	1,050
(((\$10 w/ SANTA) × 5) + (\$10 × 5))	\$100	6,000	2,100
(\$50 w/ SANTA) × 2	\$100	12,000	1,050
\$100 w/ \$100 SYMBOL	\$100	480	26,250
\$100 w/ SANTA	\$100	12,000	1,050
\$100	\$100	12,000	1,050
\$50 × 4	\$200	12,000	1,050
(\$50 × 2) + (\$10 × 10)	\$200	12,000	1,050
(((\$10 w/ SANTA) × 10) + (\$100 w/ \$100 SYMBOL))	\$200	4,000	3,150
(\$100 w/ \$100 SYMBOL) × 2	\$200	12,000	1,050
\$200 w/ SANTA	\$200	12,000	1,050
\$200	\$200	12,000	1,050
\$50 × 10	\$500	24,000	525
\$100 × 5	\$500	24,000	525
(\$50 × 6) + (\$20 × 5) + \$100	\$500	24,000	525
(((\$50 w/ SANTA) × 6) + ((\$100 w/ \$100 SYMBOL) × 2))	\$500	24,000	525
(\$100 w/ \$100 SYMBOL) × 5	\$500	24,000	525
\$500 w/ SANTA	\$500	24,000	525
\$500	\$500	24,000	525
(\$100 w/ \$100 SYMBOL) × 10	\$1,000	1,260,000	10
\$1,000	\$1,000	1,260,000	10
\$5,000	\$5,000	1,260,000	10
\$100,000 w/ WISH LIST	\$100,000	1,260,000	10

Reveal a "SANTA" (SANTA) symbol, win prize shown under that symbol automatically.

Reveal a "\$100 SYMBOL" (WIN100) symbol, win \$100 instantly.

Reveal a "WISH LIST" (\$100K) symbol, win \$100,000 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Pennsylvania Very Merry Second-Chance Drawing (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-1305 Merry Millions (\$20), PA-1306 Holiday Gifts (\$10), PA-1307 \$100,000 Wish List (\$5), PA-1308 Twelve Elves (\$3), PA-1309 Candy Cane Cash (\$2) and PA-1310 Snow Me the Money (\$1) instant lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> or download the Pennsylvania Lottery Official App. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description*.

(1) The Lottery will conduct one Very Merry Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) All entries received after 11:59:59 p.m. October 22, 2017, through 11:59:59 p.m. January 4, 2018, will be entered into the Drawing to be held between January 5, 2018 and January 16, 2018.

(ii) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(2) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1310 Snow Me the Money (\$1) = 1 entry; PA-1309 Candy Cane Cash (\$2) = 2 entries; PA-1308 Twelve Elves (\$3) = 3 entries; PA-1307 \$100,000 Wish List (\$5) = 5 entries; PA-1306 Holiday Gifts (\$10) = 10 entries; and PA-1305 Merry Millions (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c).

(3) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000.

(4) The second through the fifth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$50,000.

(5) The sixth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000.

(6) The eleventh through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(10) All prizes will be paid as one-time, lump-sum cash payments, less appropriate state and federal income tax withholding.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical

errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$100,000 Wish List instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of \$100,000 Wish List, prize money from winning \$100,000 Wish List 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 \$100,000 Wish List instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$100,000 Wish List or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1744. Filed for public inspection October 20, 2017, 9:00 a.m.]

Pennsylvania Candy Cane Cash Instant Lottery Game 1309

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 Candy Cane Cash (hereinafter referred to as “Candy Cane Cash”). The game number is PA-1309.

2. *Price:* The price of a Candy Cane Cash instant lottery game ticket is \$2.

3. *Play Symbols:* Each Candy Cane Cash instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), \$50 Cash (WIN50) symbol and a Candy Cane (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE

(TICKET), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$2, \$4 \$5, \$10, \$20, \$50, \$100, \$500 and \$25,000. A player can win up to 10 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Very Merry Second-Chance Drawing for which non-winning Candy Cane Cash instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Candy Cane Cash instant lottery game.

8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(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 \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Candy Cane (WINALL) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(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 \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Candy Cane (WINALL) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is \$50 Cash (WIN50) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that \$50 Cash (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Candy Cane (WINALL) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Candy Cane (WINALL) symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (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.

(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 \$4⁰⁰ (FOR DOL) appears in the “prize” area under the

matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(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 \$2⁰⁰ (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of FREE (TICKET) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Candy Cane Cash instant lottery game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets:
FREE	FREE \$2 TICKET	9.68	1,116,000
\$2	\$2	25	432,000
\$2 × 2	\$4	150	72,000
\$4	\$4	300	36,000
\$5	\$5	37.5	288,000
\$2 × 5	\$10	300	36,000
\$5 × 2	\$10	300	36,000
(\$4 × 2) + \$2	\$10	300	36,000
\$10	\$10	300	36,000
CANDY CANE w/ (\$2 × 10)	\$20	136.36	79,200
\$4 × 5	\$20	1,500	7,200
\$5 × 4	\$20	1,500	7,200
\$10 × 2	\$20	1,500	7,200
\$20	\$20	1,500	7,200
CANDY CANE w/ (\$5 × 10)	\$50	1,500	7,200
\$10 × 5	\$50	1,500	7,200
\$50 w/ \$50 CASH	\$50	125	86,400
\$50	\$50	1,500	7,200
CANDY CANE w/ (\$10 × 10)	\$100	6,000	1,800
\$20 × 5	\$100	12,000	900
(\$50 w/ \$50 CASH) × 2	\$100	6,000	1,800
\$100	\$100	12,000	900
CANDY CANE w/ (\$50 × 10)	\$500	120,000	90
\$100 × 5	\$500	120,000	90
(\$50 w/ \$50 CASH) × 10	\$500	120,000	90
\$500	\$500	120,000	90
\$25,000	\$25,000	1,080,000	10

REVEAL A “\$50 CASH” (WIN50) SYMBOL, WIN \$50 INSTANTLY.

REVEAL A “CANDY CANE” (WINALL) SYMBOL, WIN ALL 10 PRIZES SHOWN!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Very Merry Second-Chance Drawing (hereafter, the “Drawing”).

(a) *Qualifying Tickets:* Non-winning PA-1305 Merry Millions (\$20), PA-1306 Holiday Gifts (\$10), PA-1307 \$100,000 Wish List (\$5), PA-1308 Twelve Elves (\$3), PA-1309 Candy Cane Cash (\$2) and PA-1310 Snow Me

the Money (\$1) instant lottery game tickets (“Qualifying Tickets”) are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> or download the Pennsylvania Lottery Official App. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Very Merry Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) All entries received after 11:59:59 p.m. October 22, 2017, through 11:59:59 p.m. January 4, 2018, will be entered into the Drawing to be held between January 5, 2018 and January 16, 2018.

(ii) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(2) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1310 Snow Me the Money (\$1) = 1 entry; PA-1309 Candy Cane Cash (\$2) = 2 entries; PA-1308 Twelve Elves (\$3) = 3 entries; PA-1307 \$100,000 Wish List (\$5) = 5 entries; PA-1306 Holiday Gifts (\$10) = 10 entries; and PA-1305 Merry Millions (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c).

(3) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000.

(4) The second through the fifth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$50,000.

(5) The sixth through the tenth entries selected in the Drawing will be winning entries and the entrants who

submitted the winning entries shall each be entitled to a prize of \$10,000.

(6) The eleventh through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(10) All prizes will be paid as one-time, lump-sum cash payments, less appropriate state and federal income tax withholding.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of

the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Candy Cane Cash instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Candy Cane Cash, prize money from winning Candy Cane Cash 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 Candy Cane Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Candy Cane Cash or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1745. Filed for public inspection October 20, 2017, 9:00 a.m.]

Pennsylvania Holiday Gifts Instant Lottery Game 1306

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 Holiday Gifts (hereinafter referred to as “Holiday Gifts”). The game number is PA-1306.

2. *Price:* The price of a Holiday Gifts instant lottery game ticket is \$10.

3. *Play Symbols:* Each Holiday Gifts instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Bow (BOW) symbol, Double Tree (DOUBLE) symbol and a HOLIDAY (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTNDOL), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$30.⁰⁰ (THRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$25, \$30, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$10,000 and \$300,000. The player can win up to 15 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Very Merry Second-Chance Drawing for which non-winning Holiday Gifts instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Holiday Gifts instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Double Tree (DOUBLE) 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 HOLIDAY (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50⁰⁰ (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 a Bow (BOW) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Bow (BOW) 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 HOLIDAY (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in three of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) 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 \$400 (FOR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a HOLIDAY (WINALL) symbol, and a prize symbol of \$30⁰⁰ (THIRTY) appears in five of the "Prize" areas and a prize symbol of \$25⁰⁰ (TWY FIV) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$150 (ONEHUNFTY) appears in the "Prize" area under that Double Tree (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$300.

(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 \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Double Tree (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a HOLIDAY (WINALL) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(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 \$150 (ONEHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$150 (ONEHUNFTY) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$150.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a HOLIDAY (WINALL) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all fifteen of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$150.

(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 \$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.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) sym-

bol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that Double Tree (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50⁰⁰ (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.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that Double Tree (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(aa) 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 \$30⁰⁰ (THRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$30⁰⁰ (THRTY) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$15⁰⁰ (FIFTNDOL) appears in the "Prize" area under that Double Tree (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) 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 \$25⁰⁰ (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.

(ee) 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 \$20⁰⁰ (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.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Tree (DOUBLE) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that Double Tree (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) 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 \$15⁰⁰ (FIFTNDOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(ii) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$15⁰⁰ (FIFTNDOL) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$15.

(jj) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (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.

(kk) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bow (BOW) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that Bow (BOW) symbol, on a single ticket, shall be entitled to a prize of \$10.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets</i>	
\$10 w/ BOW	\$10	15	440,000
\$10	\$10	12	550,000
\$15 w/ BOW	\$15	30	220,000
\$15	\$15	30	220,000
\$10 × 2	\$20	200	33,000
\$10 w/ DOUBLE TREE	\$20	60	110,000
\$20 w/ BOW	\$20	60	110,000
\$20	\$20	200	33,000
\$15 × 2	\$30	200	33,000
\$15 w/ DOUBLE TREE	\$30	200	33,000
\$30 w/ BOW	\$30	200	33,000

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 6,600,000 Tickets
\$30	\$30	300	22,000
\$10 × 5	\$50	300	22,000
(\$20 w/ DOUBLE TREE) + \$10	\$50	300	22,000
\$50 w/ BOW	\$50	200	33,000
\$50	\$50	200	33,000
\$20 × 5	\$100	600	11,000
\$50 × 2	\$100	600	11,000
\$50 w/ DOUBLE TREE	\$100	600	11,000
\$100 w/ BOW	\$100	300	22,000
\$100	\$100	600	11,000
HOLIDAY w/ (\$10 × 15)	\$150	480	13,750
\$50 × 3	\$150	12,000	550
(\$30 w/ BOW) + (\$50 w/ DOUBLE TREE) + \$20	\$150	12,000	550
(\$50 w/ BOW) × 3	\$150	12,000	550
\$150 w/ BOW	\$150	12,000	550
\$150	\$150	12,000	550
HOLIDAY w/ ((\$20 × 5) + (\$10 × 10))	\$200	4,800	1,375
\$100 × 2	\$200	8,000	825
(((\$50 w/ BOW) × 2) + (\$50 w/ DOUBLE TREE))	\$200	8,000	825
\$100 w/ DOUBLE TREE	\$200	8,000	825
\$200 w/ BOW	\$200	8,000	825
\$200	\$200	8,000	825
HOLIDAY w/ ((\$30 × 5) + (\$25 × 10))	\$400	12,000	550
\$100 × 4	\$400	24,000	275
(\$20 w/ DOUBLE TREE) × 10	\$400	12,000	550
\$400 w/ BOW	\$400	12,000	550
\$400	\$400	24,000	275
HOLIDAY w/ ((\$100 × 3) + (\$50 × 2) + (\$10 × 10))	\$500	12,000	550
\$100 × 5	\$500	24,000	275
(\$50 w/ DOUBLE TREE) × 5	\$500	12,000	550
\$500 w/ BOW	\$500	24,000	275
\$500	\$500	24,000	275
HOLIDAY w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	24,000	275
\$500 × 2	\$1,000	24,000	275
(((\$150 w/ DOUBLE TREE) × 2) + (\$200 × 2))	\$1,000	24,000	275
\$500 w/ DOUBLE TREE	\$1,000	30,000	220
\$1,000 w/ BOW	\$1,000	40,000	165
\$1,000	\$1,000	60,000	110
\$1,000 × 10	\$10,000	330,000	20
\$10,000	\$10,000	330,000	20
\$300,000	\$300,000	660,000	10

Reveal a "BOW" (BOW) symbol, win prize shown under that symbol automatically.

Reveal a "DOUBLE TREE" (DOUBLE) symbol, double the prize shown under that symbol.

Reveal a "HOLIDAY" (WINALL) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Pennsylvania Very Merry Second-Chance Drawing (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-1305 Merry Millions (\$20), PA-1306 Holiday Gifts (\$10), PA-1307 \$100,000 Wish List (\$5), PA-1308 Twelve Elves (\$3), PA-1309 Candy Cane Cash (\$2) and PA-1310 Snow Me the Money (\$1) instant lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> or download the Pennsylvania Lottery Official App. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at

<http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Very Merry Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) All entries received after 11:59:59 p.m. October 22, 2017, through 11:59:59 p.m. January 4, 2018, will be entered into the Drawing to be held between January 5, 2018 and January 16, 2018.

(ii) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(2) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1310 Snow Me the Money (\$1) = 1 entry; PA-1309 Candy Cane Cash (\$2) = 2 entries; PA-1308 Twelve Elves (\$3) = 3 entries; PA-1307 \$100,000 Wish List (\$5) = 5 entries; PA-1306 Holiday Gifts (\$10) = 10 entries; and PA-1305 Merry Millions (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c).

(3) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000.

(4) The second through the fifth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$50,000.

(5) The sixth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000.

(6) The eleventh through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(10) All prizes will be paid as one-time, lump-sum cash payments, less appropriate state and federal income tax withholding.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an

entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Holiday Gifts instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Holiday Gifts, prize money from winning Holiday Gifts 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 Holiday Gifts instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Holiday Gifts or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1746. Filed for public inspection October 20, 2017, 9:00 a.m.]

Pennsylvania Merry Millions Instant Lottery Game 1305

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 Merry Millions (hereinafter “Merry Millions”). The game number is PA-1305.

2. *Price:* The price of a Merry Millions instant lottery game ticket is \$20.

3. *Play Symbols:* Each Merry Millions instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, a “\$100 BONUS” area, a “\$250 BONUS” area and a “\$500 BONUS” area. Each “BONUS” play area is played separately. 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), 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 (TWNIN), 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), 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 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), \$ (DLRSN) symbol, 10X (10TIMES) symbol and a Wreath (WINALL) symbol. The play symbols and their captions located in the “\$100 BONUS” area are: NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol, NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol and a \$100 (WIN100) symbol. The play symbols and their captions located in the “\$250 BONUS” area are: NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol, NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol and a \$250 (WIN250) symbol. The play symbols and their captions located in the “\$500 BONUS” area are: NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol, NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol and a \$500 (WIN500) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$20.00 (TWENTY), \$40.00 (FORTY), \$50.00 (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: \$20, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prize that can be won in the "\$100 BONUS" area is \$100. The prize that can be won in the "\$250 BONUS" area is \$250. The prize that can be won in the "\$500 BONUS" area is \$500. A player can win up to 22 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Very Merry Second-Chance Drawing for which non-winning Merry Millions instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Merry Millions instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1MILL (ONE MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a one-time, 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 in the "prize" area 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 in the "prize" area 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 a \$ (DLRSN) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wreath (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.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, 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 is a 10X (10TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears

in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wreath (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$50.00 (FIFTY) appears in eight of the "prize" areas and a prize symbol of \$40.00 (FORTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wreath (WINALL) symbol, and a prize symbol of \$50.00 (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$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.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLRSN) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$50.00 (FIFTY) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets with a \$500 (WIN500) symbol in the "\$500 BONUS" area, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wreath (WINALL) symbol, and a prize symbol of \$40.00 (FORTY) appears in five of the "prize" areas and a prize symbol of \$20.00 (TWENTY) appears in fifteen of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wreath (WINALL) symbol, and a prize symbol of \$20.00 (TWENTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$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.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLRSN) symbol, and a prize symbol of \$250 (TWOHUNFTY) appears in the "prize" area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$250.

(s) Holders of tickets with a \$250 (WIN250) symbol in the "\$250 BONUS" area, on a single ticket, shall be entitled to a prize of \$250.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$20.00 (TWENTY) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets with a \$100 (WIN100) symbol in the “\$100 BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50.00 (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.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol, and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$40.00 (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.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol, and a prize symbol of \$40.00 (FORTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) 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 in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol, and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$20.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

	<i>Bonus:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$20 w/ \$		\$20	12	400,000
\$20		\$20	15	320,000
\$20 x 2		\$40	60	80,000
\$40 w/ \$		\$40	30	160,000
\$40		\$40	60	80,000
\$50 w/ \$		\$50	33.33	144,000
\$50		\$50	33.33	144,000
\$20 x 5		\$100	300	16,000
\$50 x 2		\$100	300	16,000
(\$40 x 2) + \$20		\$100	300	16,000
(\$20 w/ \$) + (\$40 x 2)		\$100	300	16,000
(\$20 w/ \$) x 5		\$100	150	32,000
(\$50 w/ \$) x 2		\$100	300	16,000
	\$100 w/ \$100 BONUS	\$100	300	16,000
\$100 w/ \$		\$100	300	16,000
\$100		\$100	300	16,000
\$50 x 5		\$250	3,000	1,600
(\$20 x 10) + \$50		\$250	2,000	2,400
(\$40 x 5) + \$50		\$250	6,000	800
(\$20 w/ 10X) + \$50		\$250	2,400	2,000
((\$50 w/ \$) x 2) + \$50	\$100 w/ \$100 BONUS	\$250	6,000	800
(\$50 w/ \$) + \$100	\$100 w/ \$100 BONUS	\$250	12,000	400
	\$250 w/ \$250 BONUS	\$250	6,000	800
\$250 w/ \$		\$250	12,000	400
\$250		\$250	12,000	400
WREATH w/ ((\$40 x 5) + (\$20 x 15))		\$500	4,000	1,200
WREATH w/ (\$20 x 20)	\$100 w/ \$100 BONUS	\$500	4,800	1,000
\$50 x 10		\$500	12,000	400
(\$100 x 2) + \$50	\$250 w/ \$250 BONUS	\$500	12,000	400

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number. Win With:

	Bonus:	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$250	\$250 w/ \$250 BONUS	\$500	12,000	400
	\$500 w/ \$500 BONUS	\$500	12,000	400
(\$50 w/ \$) + (\$20 w/ 10X)	\$250 w/ \$250 BONUS	\$500	12,000	400
\$50 w/ 10X		\$500	12,000	400
\$500 w/ \$		\$500	12,000	400
\$500		\$500	12,000	400
WREATH w/ (\$50 × 20)		\$1,000	12,000	400
WREATH w/ ((\$100 × 2) + (\$50 × 8) + (\$40 × 10))		\$1,000	12,000	400
WREATH w/ (\$20 × 20)	(\$500 w/ \$500 BONUS) + (\$100 w/ \$100 BONUS)	\$1,000	12,000	400
\$50 × 15	\$250 w/ \$250 BONUS	\$1,000	24,000	200
\$100 × 9	\$100 w/ \$100 BONUS	\$1,000	24,000	200
\$100 × 5	\$500 w/ \$500 BONUS	\$1,000	24,000	200
\$250 × 3	\$250 w/ \$250 BONUS	\$1,000	24,000	200
\$500	\$500 w/ \$500 BONUS	\$1,000	24,000	200
(\$20 w/ 10X) + \$50	(\$500 w/ \$500 BONUS) + (\$250 w/ \$250 BONUS)	\$1,000	12,000	400
\$50 w/ 10X	\$500 w/ \$500 BONUS	\$1,000	24,000	200
\$100 w/ 10X		\$1,000	24,000	200
\$1,000		\$1,000	24,000	200
WREATH w/ (\$500 × 20)		\$10,000	480,000	10
(\$100 w/ 10X) × 9) + (\$50 × 3)	(\$500 w/ \$500 BONUS) + (\$250 w/ \$250 BONUS) + (\$100 w/ \$100 BONUS)	\$10,000	480,000	10
\$1,000 w/ 10X		\$10,000	480,000	10
\$10,000 w/ \$		\$10,000	480,000	10
\$10,000		\$10,000	480,000	10
\$100,000		\$100,000	960,000	5
\$1,000,000		\$1,000,000	960,000	5

Reveal a "\$" (DLRSN) symbol, win prize shown under that symbol automatically.

Reveal a "10X" (10TIMES) symbol, win 10 times the prize shown under that symbol.

Reveal a "WREATH" (WINALL) symbol, win all 20 prizes shown!

Bonus areas are played separately.

\$100 BONUS: Reveal a "\$100" (WIN100) symbol, win \$100 instantly.

\$250 BONUS: Reveal a "\$250" (WIN250) symbol, win \$250 instantly.

\$500 BONUS: Reveal a "\$500" (WIN500) symbol, win \$500 instantly.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Very Merry Second-Chance Drawing (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-1305 Merry Millions (\$20), PA-1306 Holiday Gifts (\$10), PA-1307 \$100,000 Wish List (\$5), PA-1308 Twelve Elves (\$3), PA-1309 Candy Cane Cash (\$2) and PA-1310 Snow Me the Money (\$1) instant lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> or download the Pennsylvania Lottery Official App. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at

<http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Very Merry Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) All entries received after 11:59:59 p.m. October 22, 2017, through 11:59:59 p.m. January 4, 2018, will be entered into the Drawing to be held between January 5, 2018 and January 16, 2018.

(ii) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(2) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1310 Snow Me the Money (\$1) = 1 entry; PA-1309 Candy Cane Cash (\$2) = 2 entries; PA-1308 Twelve Elves (\$3) = 3 entries; PA-1307 \$100,000 Wish List (\$5) = 5 entries; PA-1306 Holiday Gifts (\$10) = 10 entries; and PA-1305 Merry Millions (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c).

(3) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000.

(4) The second through the fifth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$50,000.

(5) The sixth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000.

(6) The eleventh through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(10) All prizes will be paid as one-time, lump-sum cash payments, less appropriate state and federal income tax withholding.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an

entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Merry Millions instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Merry Millions, prize money from winning Merry Millions 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 Merry Millions instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Merry Millions or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1747. Filed for public inspection October 20, 2017, 9:00 a.m.]

Pennsylvania Snow Me the Money Instant Lottery Game 1310

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 Snow Me the Money (hereinafter “Snow Me the Money”). The game number is PA-1310.

2. *Price:* The price of a Snow Me the Money instant lottery game ticket is \$1.

3. *Play Symbols:* Each Snow Me the Money 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: Mountain (MNTN) symbol, Mittens (MITTNS) symbol, Scarf (SCARF) symbol, Holly (HOLLY) symbol, Fire (FIRE) symbol, Cup (CUP) symbol, Lantern (LANTRN) symbol, Jacket (JACKET) symbol, Hat (HAT) symbol, Goggles (GOGGLES) symbol, Cabin (CABIN) symbol, Candle (CANDLE) symbol, Stocking (STKING) symbol, Star (STAR) symbol, Skis (SKIS) symbol, Snowmobile (SNWMBL) symbol, Sleigh (SLEIGH) symbol, Reindeer (DEER) symbol, Rabbit (RABBIT) symbol, and a Money (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$30, \$40, \$100, \$400 and \$5,000. The player can win up to 4 times on the ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Very Merry Second-Chance Drawing for which non-winning Snow Me the Money instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 16,800,000 tickets will be printed for the Snow Me the Money instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with two like symbols in the same “GAME,” and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$100 (ONE HUN) appears in all four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the "Prize" areas and a prize symbol of \$40⁰⁰ (FORTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with a Money (WINALL) symbol in the play area, and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(j) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in all four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL)

appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in three of the "Prize" areas and a prize symbol of \$4⁰⁰ (FOR DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the "Prize" areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in three of the "Prize" areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets with a Money (WINALL) symbol in any "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in all four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(u) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(v) Holders of tickets with two like symbols in the same "GAME," and a prize symbol of FREE (TICKET) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of one Snow Me the Money instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*Reveal Two Like Symbols
In The Same Game, Win
Prize Shown For That Game.
Win With:*

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 16,800,000 Tickets</i>
FREE	FREE \$1 TICKET	12	1,400,000
\$1	\$1	50	336,000
\$1 x 2	\$2	37.5	448,000
\$2	\$2	42.86	392,000
MONEY w/ (\$1 x 4)	\$4	50	336,000
\$1 x 4	\$4	300	56,000
\$2 x 2	\$4	300	56,000
(\$1 x 2) + \$2	\$4	300	56,000
\$4	\$4	300	56,000

*Reveal Two Like Symbols
In The Same Game, Win
Prize Shown For That Game.
Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 16,800,000 Tickets</i>	
MONEY w/ (($\$1 \times 3$) + $\$2$)	\$5	200	84,000
($\$2 \times 2$) + $\$1$	\$5	200	84,000
$\$5$	\$5	300	56,000
MONEY w/ (($\$4 \times 2$) + ($\1×2))	\$10	200	84,000
MONEY w/ (($\$2 \times 3$) + $\$4$)	\$10	1,000	16,800
$\$5 \times 2$	\$10	1,000	16,800
$\$10$	\$10	1,000	16,800
MONEY w/ ($\$5 \times 4$)	\$20	428.57	39,200
$\$5 \times 4$	\$20	3,000	5,600
$\$10 \times 2$	\$20	3,000	5,600
$\$20$	\$20	3,000	5,600
MONEY w/ (($\$10 \times 2$) + ($\5×2))	\$30	4,800	3,500
$\$20 + \10	\$30	4,800	3,500
$\$30$	\$30	4,800	3,500
MONEY w/ ($\$10 \times 4$)	\$40	1,600	10,500
$\$20 \times 2$	\$40	4,800	3,500
$\$40$	\$40	4,800	3,500
MONEY w/ (($\$40 \times 2$) + ($\10×2))	\$100	8,000	2,100
MONEY w/ (($\$20 \times 3$) + $\$40$)	\$100	24,000	700
$\$100$	\$100	24,000	700
MONEY w/ ($\$100 \times 4$)	\$400	240,000	70
$\$400$	\$400	240,000	70
$\$5,000$	\$5,000	1,680,000	10

Reveal a "MONEY" (WINALL) symbol in any GAME, win all 4 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Very Merry Second-Chance Drawing (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-1305 Merry Millions ($\$20$), PA-1306 Holiday Gifts ($\$10$), PA-1307 $\$100,000$ Wish List ($\$5$), PA-1308 Twelve Elves ($\$3$), PA-1309 Candy Cane Cash ($\$2$) and PA-1310 Snow Me the Money ($\$1$) instant lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> or download the Pennsylvania Lottery Official App. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Very Merry Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) All entries received after 11:59:59 p.m. October 22, 2017, through 11:59:59 p.m. January 4, 2018, will be entered into the Drawing to be held between January 5, 2018 and January 16, 2018.

(ii) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(2) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1310 Snow Me the Money ($\$1$) = 1 entry; PA-1309 Candy Cane Cash ($\$2$) = 2 entries; PA-1308 Twelve Elves ($\$3$) = 3 entries; PA-1307 $\$100,000$ Wish List ($\$5$) = 5 entries; PA-1306 Holiday Gifts ($\$10$) = 10 entries; and PA-1305 Merry Millions ($\$20$) = 20 entries.

(3) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c).

(3) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry,

and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000.

(4) The second through the fifth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$50,000.

(5) The sixth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000.

(6) The eleventh through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(10) All prizes will be paid as one-time, lump-sum cash payments, less appropriate state and federal income tax withholding.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Snow Me the Money instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Snow Me the Money, prize money from winning Snow Me the Money 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 Snow Me the Money instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Snow Me the Money or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1748. Filed for public inspection October 20, 2017, 9:00 a.m.]

Pennsylvania Twelve Elves Instant Lottery Game 1308

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 Twelve Elves (hereinafter referred to as “Twelve Elves”). The game number is PA-1308.

2. *Price:* The price of a Twelve Elves instant lottery game ticket is \$3.

3. *Play Symbols:* Each Twelve Elves instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: Toys (TOYS) symbol, Wreath (WREATH) symbol, Sleigh (SLEIGH) symbol, Ornament (ORNMNT) symbol, Tree (TREE) symbol, Scarf (SCARF) symbol, Snowflake (SNOFLK) symbol, Stocking (STOCKING) symbol, Star (STAR) symbol, Nutcracker (NTRKR) symbol, Holly (HOLLY) symbol, Mittens (MITTENS) symbol, Lantern (LANTERN) symbol, Jacket (JACKET) symbol, Penguin (PNGN) symbol, Gift (GIFT) symbol, Bell (BELL) symbol, Bow (BOW) symbol, Lights (LIGHTS) symbol, Cabin (CABIN) symbol, Candle (CANDLE) symbol, Earmuff (EARMUFF) symbol, Igloo (IGLOO) symbol, Calendar (CLNDR) symbol, Candy Cane (CNDYCN) symbol, Reindeer (DEER) symbol, Gingerbread Man (GNBRMN) symbol, Horn (HORN) symbol, Hat (HAT) symbol, and an Elf (ELF) symbol.

4. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$15, \$30, \$50, \$100, \$300, \$1,000, \$3,000, and \$50,000. The player can win up to 1 time on the ticket.

5. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Very Merry Second-Chance Drawing for which non-winning Twelve Elves instant lottery game tickets may be eligible as provided for in section 9.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,000,000 tickets will be printed for the Twelve Elves instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with twelve Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with eleven Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets with ten Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with nine Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets with eight Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with seven Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with six Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets with five Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$15.

(i) Holders of tickets with four Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with three Elf (ELF) symbols in the play area, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets with two Elf (ELF) symbols in the play area, 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 Play Area. Count The Number Of “Elf” (ELF) Symbols In The Play Area And Win Corresponding Prize Shown In The Prize Legend. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,000,000 Tickets</i>	
2 ELF SYMBOLS	\$3	10	900,000
3 ELF SYMBOLS	\$5	14.29	630,000
4 ELF SYMBOLS	\$10	29.41	306,000
5 ELF SYMBOLS	\$15	83.33	108,000
6 ELF SYMBOLS	\$30	100	90,000
7 ELF SYMBOLS	\$50	571.43	15,750
8 ELF SYMBOLS	\$100	800	11,250
9 ELF SYMBOLS	\$300	2,400	3,750

Scratch The Play Area. Count The Number Of "Elf" (ELF) Symbols In The Play Area And Win Corresponding Prize Shown In The Prize Legend. Win With:

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,000,000 Tickets</i>
10 ELF SYMBOLS	\$1,000	12,000	750
11 ELF SYMBOLS	\$3,000	120,000	75
12 ELF SYMBOLS	\$50,000	900,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Very Merry Second-Chance Drawing (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-1305 Merry Millions (\$20), PA-1306 Holiday Gifts (\$10), PA-1307 \$100,000 Wish List (\$5), PA-1308 Twelve Elves (\$3), PA-1309 Candy Cane Cash (\$2) and PA-1310 Snow Me the Money (\$1) instant lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx> or download the Pennsylvania Lottery Official App. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Very Merry Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) All entries received after 11:59:59 p.m. October 22, 2017, through 11:59:59 p.m. January 4, 2018, will be entered into the Drawing to be held between January 5, 2018 and January 16, 2018.

(ii) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(2) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1310 Snow Me the Money (\$1) = 1

entry; PA-1309 Candy Cane Cash (\$2) = 2 entries; PA-1308 Twelve Elves (\$3) = 3 entries; PA-1307 \$100,000 Wish List (\$5) = 5 entries; PA-1306 Holiday Gifts (\$10) = 10 entries; and PA-1305 Merry Millions (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c).

(3) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000.

(4) The second through the fifth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$50,000.

(5) The sixth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000.

(6) The eleventh through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(10) All prizes will be paid as one-time, lump-sum cash payments, less appropriate state and federal income tax withholding.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the

rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Twelve Elves instant lottery game tickets.

11. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000

shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

12. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Twelve Elves, prize money from winning Twelve Elves 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 Twelve Elves 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.

13. *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.

14. *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 Twelve Elves or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1749. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF STATE

Corporation Bureau Advisory Committee Meeting

The Corporation Bureau Advisory Committee, under 15 Pa.C.S. § 155(c) (relating to disposition of funds), has scheduled a meeting for Monday, November 6, 2017, at 11 a.m. for discussion of the Bureau of Corporations and Charitable Organizations' budget. The meeting will be held in Room 303, Executive Office Conference Room, Department of State, North Office Building, 3rd Floor, Harrisburg, PA 17120. The public is invited to attend. Persons who need accommodation due to a disability and wish to attend the meeting should contact Barbara Kennedy at (717) 783-9210 so that arrangements can be made.

ROBERT TORRES,
Acting Secretary

[Pa.B. Doc. No. 17-1750. Filed for public inspection October 20, 2017, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Medical Advisory Board Meeting

The Medical Advisory Board (Board) will meet on Friday, November 3, 2017. The meeting will begin at 10 a.m. at the Riverfront Office Center, Transportation University, 1101 South Front Street, Harrisburg, PA. Chairperson Kara N. Templeton will preside. The meeting is open to the public.

Members of the public interested in addressing the Board with a concern relating to medical regulations must contact Angelia Gillis at (717) 783-4534 by Friday, October 27, 2017. These concerns will be discussed during "Items from the Floor" on the agenda, which will open at 12:15 p.m.

The meeting location is accessible to persons with disabilities. Persons with special needs or requiring special aids are also requested to contact Angelia Gillis at (717) 783-4534 prior to the meeting so that disability needs may be accommodated.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-1751. Filed for public inspection October 20, 2017, 9:00 a.m.]

GAME COMMISSION

Chronic Wasting Disease—Designation of Disease Management Areas and Endemic States and Canadian Provinces Order # 3

Executive Order

Whereas, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the family Cervidae (deer, elk or moose, and other susceptible species, collectively called cervids); and

Whereas, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

Whereas, CWD is designated as a "dangerous transmissible disease" of animals by order of the Secretary of Agriculture under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases); and

Whereas, The Game and Wildlife Code (Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

Whereas, On March 28, 2017 (effective May 16, 2017), the Commission added 58 Pa. Code § 137.35 (relating to Chronic Wasting Disease Restrictions) to give more permanent status and structure to the CWD requirements and restrictions previously established and maintained over the past decade by and through executive orders; and

Whereas, Section 137.35(d) provides the Executive Director with the authority to designate CWD Disease Management Areas (DMAs) within this Commonwealth; and

Whereas, Section 137.35(d) also provides the Executive Director with the authority to designate CWD-endemic States or Canadian Provinces; and

Whereas, Previous executive orders concerning designation of CWD DMAs and CWD-endemic States and Canadian Provinces within this Commonwealth were issued by the Commission on June 1, 2017 and July 24, 2017; and

Whereas, The Commission has determined that further designation of CWD DMAs and CWD-endemic States and Canadian Provinces is necessary to fully implement the Commission's CWD program.

Now Therefore, I, BRYAN J. BURHANS, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. DMAs within this Commonwealth are designated as set forth below. These DMAs are more graphically illustrated on the maps titled "DMA2" and "DMA3" attached hereto and incorporated by reference herein. Should any conflict exist between the below-listed written boundaries and maps of DMA 2 and DMA3, the written descriptions shall prevail.

a. *DMA 1*: Eliminated.

b. *DMA 2*: Adams, Bedford, Blair, Cambria, Clearfield, Cumberland, Franklin, Fulton, Huntingdon and Somerset counties, bounded and described as follows: Beginning in the Southeastern extent of the DMA at the intersection of Taneytown Road (State Highway 134) and the Maryland State Line, proceed north on Highway 134 for approximately 7.4 miles to the intersection of Steinwehr Avenue in Gettysburg. Follow right on Steinwehr Avenue to Baltimore Street. Follow left on Baltimore Street through downtown Gettysburg. Proceed halfway around the traffic circle at the square unto Carlisle Street (State Highway 34). The DMA boundary follows Highway 34 north for approximately 23.1 miles to the intersection of the Baltimore Avenue (State Highway 94). Follow Highway 94 north for approximately 3 miles to the intersection of W. Old York Road (State Highway 174). Turn left and follow Highway 174 west for approximately 18.1 miles to US Highway 11 in Shippensburg. Follow US Highway 11 south for approximately 1.25 miles to the intersection of State Highway 533. Turn right the DMA boundary follows Highway 533 for approximately 4.6 miles to the intersection of State Highway 433 in Orrstown. Turn right and the boundary follows Tanyard Hill Road (State Highway 433) north for approximately 1.75 miles to the intersection of State Highway 997. Follow route 997 north for approximately 3.1 miles to the intersection of State Highway 641. Turn left and the boundary follows State Highway 641 (Forge Hill Road) for approximately 17.5 miles to the intersection of US Highway 522 near Shade Gap. The DMA boundary follows US Highway 522 east for approximately 5.6 miles to the intersection of State Highway 994 (Elliot Street) in Orbisonia. Proceed left on route 994 and follow westward for approximately 8.2 miles to the intersection of State Highway 655. Turn right and the boundary follows Highway 655 north for approximately 16.9 miles to the intersection of US Highway 22. The DMA boundary follows US Highway 22 west for 16.6 miles to State Highway 453, then north along State Highway 453 for 20.5 miles to intersection of State

Highway 253. Follow State Highway 253 south for 8.1 miles to State Highway 53 in Van Ormer. The DMA continues on State Highway 53 south for 1.7 miles to Marina Road. At Marina Road the boundary follows for 5.5 miles to the intersection of Glendale Lake Road. Continue left on Glendale Lake Road and in 3 miles join onto State Highway 36. The DMA boundary follows State Highway 36 west into the town of Patton and then straight onto Magee Avenue to the intersection of 5th Avenue. Continue south on 5th Avenue for about .3 miles where the road becomes Mellon Avenue. Continuing on Mellon Avenue for .4 miles the road becomes Carroll Road once in East Carroll Township. The boundary continues south on Carroll Road for 3.7 miles to State Highway 219 in Carrolltown. The DMA boundary follows State Highway 219 south for 26.7 miles to State Highway 56 East and then follows State Highway 56 east for 3.9 miles to State Highway 160. Following State Highway 160 southward the boundary continues for 26.5 miles to the borough of Berlin, then west through downtown Berlin on State Highway 2030 (Main Street) for 0.44 miles to the intersection of State Highway 219. Finally south along State Highway 219 for 20.6 miles to the Maryland border.

c. *DMA 3*: Clearfield and Jefferson Counties, Pennsylvania, bounded and described as follows: Beginning in the Northwest corner of the DMA at the intersection of State Highway 36 and Interstate 80 (I-80), proceed east on I-80 for 27 miles to where Anderson Creek Road intersects I-80. Continue southwest on Anderson Creek Road for 1.8 miles to Home Camp Road (State Route 4016). Follow Home Camp Road south for 2.5 miles to the intersection with US Highway 322 (Rockton Mountain Highway). Continue west on US Highway 322 for 4 miles to US

Highway 219, then south on along US Highway 219 for 20.25 miles to the intersection with State Highway 36. Continue west on the US 219/State Highway 36 overlap for 2.25 miles, then continue north on State Highway 36. Follow State Highway 36 (Colonel Drake Highway) northwest for 32.5 miles to its intersection with US Highway 322 (Main Street) in Brookville. Continue west on State Highway 36's overlap with US Highway 322 for approximately 0.75 miles, then continue north on State Highway 36 for 0.5 mile to the intersection with I-80.

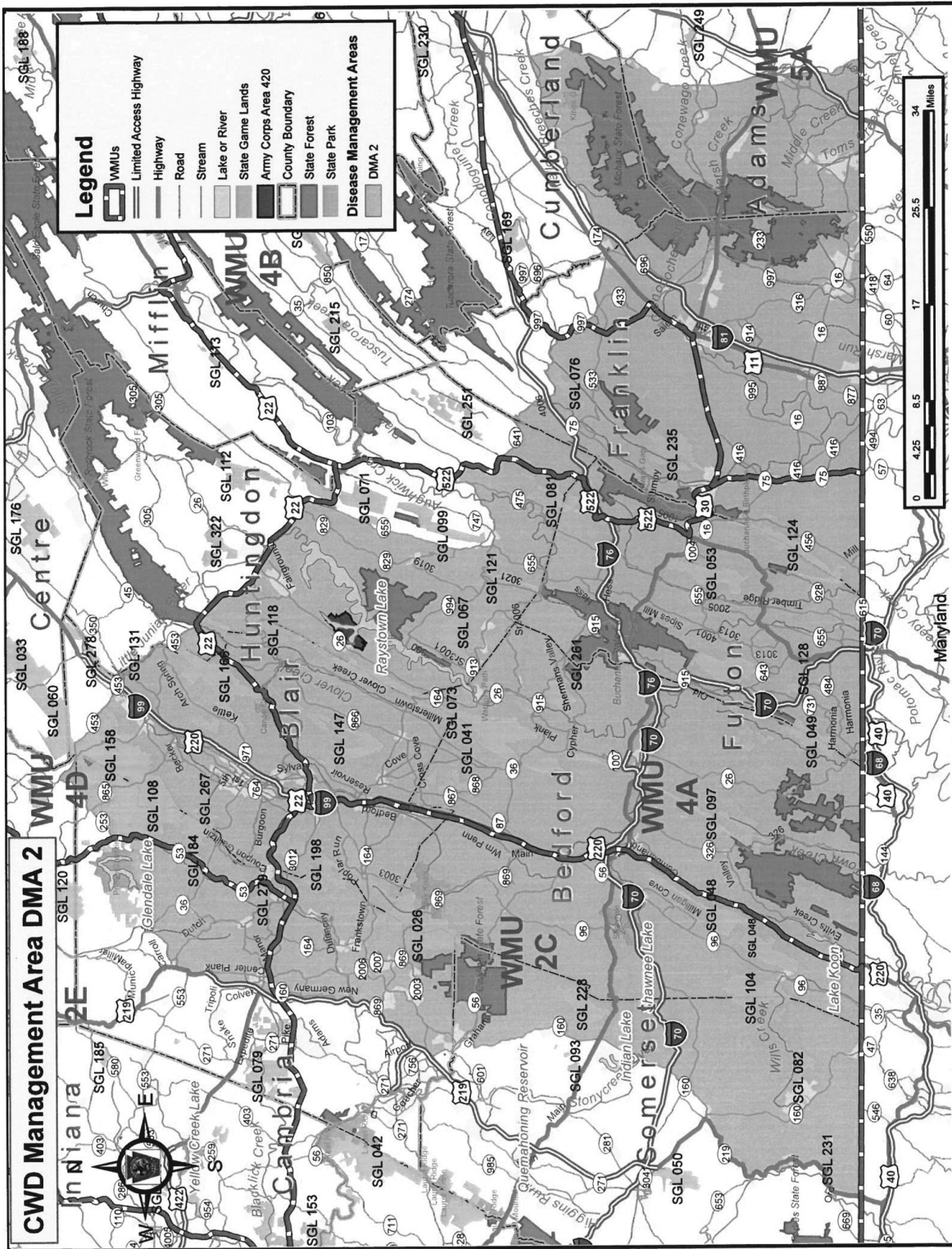
2. CWD-endemic States or Canadian Provinces are designated to include the following specific States and Canadian Provinces: Alberta, Arkansas, Colorado, Illinois, Iowa, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Saskatchewan, South Dakota, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.

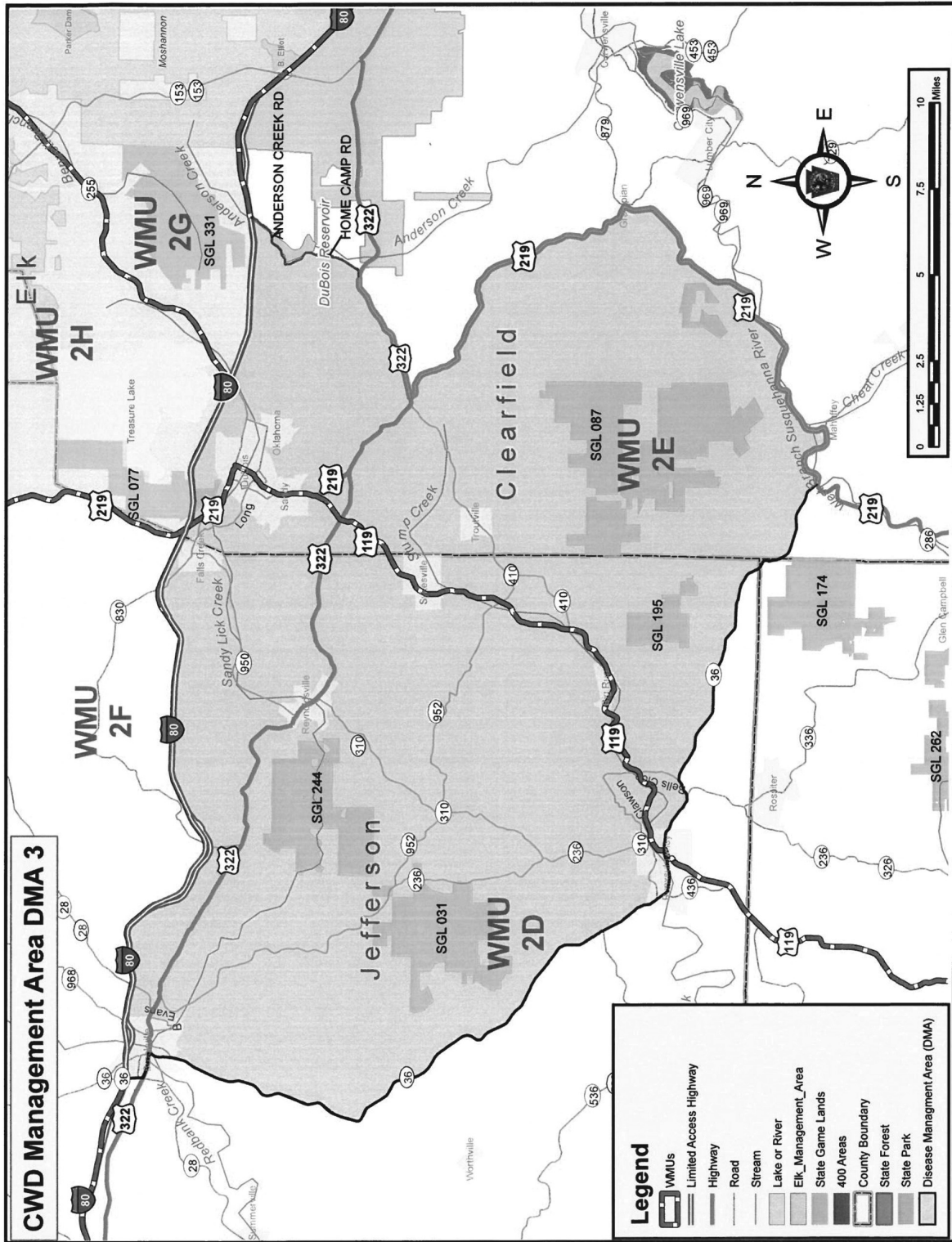
3. The previous executive order concerning designation of CWD DMAs and CWD-endemic States and Canadian Provinces within this Commonwealth that was issued by the Commission on July 24, 2017 and published in the *Pennsylvania Bulletin* on August 5, 2017 at 47 Pa.B. 4598 is hereby rescinded in its entirety and replaced by this Order.

4. This Order is effective on February 1, 2018 and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 6th day of October, 2017.

BRYAN J. BURHANS,
Executive Director





[Pa.B. Doc. No. 17-1752. Filed for public inspection October 20, 2017, 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>
14-538	Department of Human Services Outpatient Psychiatric Services and Psychiatric Outpatient Clinics 47 Pa.B. 4689 (August 12, 2017)	9/11/17	10/11/17

Department of Human Services Regulation # 14-538 (IRRC # 3176)

Outpatient Psychiatric Services and Psychiatric Outpatient Clinics

October 11, 2017

We submit for your consideration the following comments on the proposed rulemaking published in the August 12, 2017 *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 Human Services (Department) to respond to all comments received from us or any other source.

1. Determining whether the regulation is in the public interest; Consistency with other statutes; Reasonableness; Protection of public health, safety and welfare; Clarity.

This proposal updates the Department's existing regulations on outpatient behavioral health services and psychiatric outpatient clinics. As noted in the Regulatory Analysis Form (RAF) and the Preamble, two of the goals of the rulemaking are to allow licensed professionals to work within their scope of practice in psychiatric outpatient clinics and to increase access to medically necessary behavioral health treatment services. Commentators have expressed support for the Department's efforts to update its regulations and have offered suggestions that would assist the Department in achieving its goals.

A recurring theme in the comments relates to the availability of psychiatrists to provide services and whether other licensed mental health care practitioners are being used to the fullest extent allowed by the laws and regulations that govern their practice. For example, it has been suggested that psychologists, certified registered nurse practitioners and physician assistants be permitted to sign initial treatment plans and the annual review of those plans. Another issue raised by commentators relates to the working relationship between physicians/psychiatrists and certified registered nurse practitioners. Commentators point out that, under the Nurse Practice Act and its regulations, certified registered

nurse practitioners work in collaboration with physicians and psychiatrists, not under their supervision. Commentators also ask the Department to consider the concept of integrated care, in which a facility offers both medical and behavioral health services. We agree that the public would benefit from a rulemaking that expands services to those in need. At the same time, we recognize the importance of ensuring that those providing services under these regulations are qualified to do so.

The RAF explains that the Department has been working on this proposal with the regulated community since 2013. It will be approximately five years from the time the Department started working on this proposal until it is delivered for final consideration. We encourage the Department to continue to work with the regulated community as it develops the final-form rulemaking and to address the comments described above. In addition, the Department should ensure that the final regulation represents the most up-to-date law and best practices as it pertains to scope of practice for all licensed mental health care practitioners and the concept of integrated care.

Commentators have asked the Department to clarify certain provisions relating to children receiving behavioral health services. The proposed regulation does not specifically address situations where a child is the individual receiving services. Since this rulemaking authorizes psychiatric outpatient clinic services, MMHT services, telepsychiatry and psychiatric outpatient partial hospitalization to eligible individuals which includes both adults and children, the Department should make certain that age of consent requirements are clear to the individual, families and service providers and that they are consistent with other regulations and laws.

We also ask the Department to ensure that eligible individuals are not inadvertently excluded from the services authorized by this rulemaking. One commentator pointed out that partial hospitalization services for persons older than age 14 and up to age 18 appears to have been omitted when restating the definitions for "Adult" and "Children and youth partial hospitalization program." The Department should explain its intent or include a definition for this population of children receiving these services.

CHAPTER 1153. OUTPATIENT BEHAVIORAL HEALTH SERVICES

2. Section 1153.2. Definitions.—Clarity.

Adult—This term is defined as “An individual 21 years of age or older.” A commentator has stated that by most standards, adults are considered those over the age of 18. What is the rationale for the age noted in the definition? Is it consistent with the law in the Commonwealth?

Family psychotherapy, group psychotherapy and individual psychotherapy—These definitions have been amended by deleting the minimum time required for each session. What is the rationale for deleting the time requirements from each of these definitions?

MMHT—Mobile Mental Health Treatment—This new definition allows one or more of the following services to be provided in an individual’s residence or approved community site: assessment; individual, group or family therapy; and medication visits. Commentators have asked several questions related to how the Department intends to implement this type of service. For example, will it include telepsychiatry? What is expected during medication visits? Does it require prior authorization? We ask the Department to provide a more detailed explanation of how it intends to implement the services that fall under this definition in the Preamble to the final-form regulation. Any clarifications to the delivery of MMHT should also be set forth in the regulation.

Psychiatric evaluation—This definition is being amended to allow an evaluation to be done via “real-time, two-way interactive audio-video transmission with prior written approval from the Department.” A commentator has asked if any privacy or security standards would apply to evaluations done through audio-video transmission. We ask the Department to explain in the Preamble to the final-form regulation if any such standards would apply. If privacy or security standards apply, the regulation should address those standards. In addition, how would Department approval for an evaluation done through audio-video transmission be obtained? Would the approval be granted in writing? We recommend that the process for obtaining approval be included in the body of the final-form regulation.

3. Section 1153.14. Noncovered services.—Clarity; Reasonableness; Need; Implementation procedures.

This existing section lists the types of services that are not eligible for payment. We have the following concerns with the amendments being proposed.

A commentator believes that the amendments to Paragraph (6) would preclude individuals from receiving telepsychiatry services in their homes and this would be at odds with the Department’s states goals of expanding this type of service. Has the Department considered allowing payment for this type of service?

Paragraph (9) states that psychiatric outpatient clinic services, MMHT and psychiatric partial hospitalization provided on the same day to the same individual are noncovered services. Similarly, proposed Paragraph (20) reads that MMHT provided on the same day as other home and community-based behavioral health services to the same individual are noncovered services. The Department should explain the need and rationale for these provisions.

Paragraph (21) states that MMHT services provided as a substitute for transportation to the psychiatric out-

patient clinic are noncovered services. How will that be determined? The Department should clarify its intent with this provision.

4. Section 1153.52. Payment conditions for various services.—Clarity; Reasonableness.

The description in the Preamble for this section states that the proposed amendments will allow a psychiatric clinic medication visit to be provided by an “advanced practice professional” licensed by the Commonwealth. That term is not used in this section, nor is it defined in Chapter 1153. However, the term is defined in Chapter 5200. If the intent of the Department is to allow an “advanced practice professional” to provide a psychiatric clinic medication visit, that term should be added to this section and the term should be defined in Chapter 1153.

Under existing Subsection (b)(2)(v), a commentator has recommended adding physician assistants and certified registered nurse practitioners to be consistent with the amended definition of “psychiatric clinic medication visit.” We agree and ask the Department to amend the final-form rulemaking as recommended.

Subsection (d) establishes the conditions and limitations for MMHT services. A commentator has suggested that this subsection be amended to reflect the criteria found in the Provider Handbook attached to the OMHSAS Bulletin 08-06-18 and to add the need for specialized transportation to the Handbook and regulations. We ask the Department to explain why specialized transportation is not included as an eligible service in the Preamble to the final-form regulation.

CHAPTER 5200. PSYCHIATRIC OUTPATIENT CLINICS

5. Section 5200.3. Definitions.—Clarity.

Assessment—This section adds a definition for this term. The term is also used in Chapter 1153, but it is not defined in that chapter. We believe adding this definition to Chapter 1153 would improve the clarity of this proposal. In addition, a commentator has stated that the terms “assessment,” “evaluation” and “diagnostic evaluation” appear to be used interchangeably. They recommend the inclusion of one consistent definition throughout the chapters. If these terms are used interchangeably, we agree with the commentator and ask the Department to use the defined term of “assessment” throughout the rulemaking. If these terms have distinct meanings, the definitions of “evaluation” and “diagnostic evaluation” should be defined in the regulation.

LPHA—Licensed practitioner of the healing arts—This term is included in the Definitions section of proposed Chapter 5200, however it does not appear in the actual text of that chapter. We note that in §§ 5200.42(a)(1) and (b)(1) the term “licensed practitioner” is used. Should the term “LPHA” be used instead of “licensed practitioner?” If so, the Department should use the term consistently throughout the regulation or delete it and define “licensed practitioner” in the regulation.

Telepsychiatry—In the Preamble, the Department explains it has been demonstrated that individuals receiving services can be reliably assessed, diagnosed and treated with pharmacology in outpatient clinics through telepsychiatry. A commentator has noted that providing telepsychiatry to consumers in their homes is cost effective and reliable. They believe telepsychiatry is better suited to meet the needs of consumers in rural areas than MMHT services. As the final-form rulemaking is being

developed, we ask the Department to consider expanding the use of telepsychiatry to provide greater access to individuals in a manner that is supported by the most recent scientific data or literature on this topic.

6. Section 5200.22. Staffing pattern.—Clarity; Implementation procedures.

Commentators have raised several questions related to the clarity of Subsections (a) and (b). We ask the Department to address the following questions. First, are there any qualifications to be considered “treatment staff?” Second, what is meant by “psychiatric time,” and would qualified certified registered nurse practitioners and physicians assistants be able to provide it? Third, are there qualifications associated with meeting the standard of “specializing in behavioral health?”

In addition, we question how the Department will implement Subsection (b) and the requirement to obtain “prior written approval from the Department” for the use of telepsychiatry. What criteria will the Department use to determine if telepsychiatry is appropriate? How would outpatient psychiatric clinics obtain written approval from the Department? The Department should include these details in the final-form regulation.

7. Miscellaneous.

Question # 29 of the RAF submitted with the proposed rulemaking indicates that the expected date of delivery for the final-form regulation will be October of 2017. When the final-form regulation is delivered, we ask the Department to update Question 29 of the RAF to reflect the date of delivery.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-1753. Filed for public inspection October 20, 2017, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured’s automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Safe Auto Insurance Company; File No. 17-198-214363; Brandon Mueller; Doc. No. P17-10-002; November 29, 2017, 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the

factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 17-1754. Filed for public inspection October 20, 2017, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company’s termination of the insured’s homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Daniel Webster; File No. 17-198-213928; Selective Insurance Company of the Southeast; Doc. No. P17-10-003; November 16, 2017, 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 17-1755. Filed for public inspection October 20, 2017, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-17-022, Dated September 15, 2017. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Service Employees International Union, Healthcare Pennsylvania, CTW, CLC. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2016 through June 30, 2019.

Governor's Office

Management Directive No. 220.1—Commonwealth Media Services, Amended September 1, 2017.

Management Directive No. 310.12—Refunding Fees and Charges Collected in Error, Amended September 21, 2017.

Management Directive No. 515.15—Employment-Related Verification and Background Checks, Amended September 6, 2017.

LAURA CAMPBELL,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 17-1756. Filed for public inspection October 20, 2017, 9:00 a.m.]

MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

Basic Curriculum Increase of Hours

The following notice is published in accordance with the requirements of 37 Pa. Code §§ 203.11(a)(11)(ii)(F) and 203.12(4)(i) (relating to qualifications; and waiver of training). At its quarterly meeting on September 14, 2017, the Municipal Police Officers' Education and Training Commission voted upon and approved the following changes to the Municipal Police Officers' Training Program (Program).

Effective January 1, 2018, the number of hours in the basic police training course is increased to 919 hours. Various academic tests are administered throughout the Program, and they are grouped into and graded as a series of modules. Cadets are required to attain an 80% in each academic module for retention in the basic police training course. A Cadet who fails to attain an 80% in an

academic module will be removed from the course and required to retake and successfully pass that academic module before being allowed to proceed to other areas of the curriculum. A second failure of an academic module will require the Cadet to successfully retake and pass the entire basic police training course to qualify for certification. Cadets who fail to attain an 80% in two separate modules shall be required to retake and pass the entire basic police training course in order to qualify for certification.

Effective January 1, 2018, the minimum passing score for the Act 120 Certification Exam required for certification as a municipal police officer is 72%. Basic training applicants and applicants for waivers of training shall be permitted to take the certification examination a maximum of three times and only once in any given day. Failure to pass the certification examination after three attempts shall result in the applicant being required to take and pass the entire basic police training course to qualify for certification.

COLONEL TYREE C. BLOCKER,
Commissioner

[Pa.B. Doc. No. 17-1757. Filed for public inspection October 20, 2017, 9:00 a.m.]

OFFICE OF OPEN RECORDS

Right-to-Know Law and Sunshine Law Annual Training

The Office of Open Records (OOR) is conducting its annual training on the Right-to-Know Law (RTKL) (65 P.S. §§ 67.101—67.3104) and 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act) on October 23, 2017, from 2 p.m. to 4:30 p.m. in Hearing Room 1, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. This year's training will consist of two sessions, each followed by a question and answer period.

The first session will provide an overview of the RTKL and the Sunshine Act. This session will discuss the mechanics and deadlines of the RTKL, including: the request and response process; an overview of the various exemptions and privileges agencies can raise to withhold records under the RTKL; and a discussion of the RTKL appeal process and procedures before the OOR. This session will also include a discussion of how and when the Sunshine Act applies to agencies.

The second session will consist of a presentation providing an overview of recent Commonwealth and Supreme Court decisions related to the RTKL as well as notable OOR decisions from the last year. This session will also include a panel discussion addressing current trends in the RTKL and open government generally.

The training is free and open to everyone, including citizens, public officials, agency open records officer, attorneys and members of the media. The training can be attended in person or online. This program is pending approval for 1.5 CLE hours. Individuals may register online at <https://oor-training-2017.eventbrite.com>.

ERIK ARNESON,
Executive Director

[Pa.B. Doc. No. 17-1758. Filed for public inspection October 20, 2017, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2017-2627874. Peoples Natural Gas Company, LLC. Application for approval of abandonment of natural gas service by Peoples Natural Gas Company, LLC to three customers located in Greene County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 6, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Peoples Natural Gas Company, LLC

Through and By Counsel: Jennifer L. Petrisek, Senior Attorney, Peoples Natural Gas Company, LLC, 375 North Shore Drive, Pittsburgh, PA 15212

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-1759. Filed for public inspection October 20, 2017, 9:00 a.m.]

Pro Forma and Indirect Minority Ownership Changes

A-2017-2627878. Atlantic Broadband Enterprise, LLC. Application of Atlantic Broadband Enterprise, LLC for approval for a pro forma change in its intermediate holding company structure and a proposed change in indirect minority ownership.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 6, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Atlantic Broadband Enterprise, LLC

Through and By Counsel: Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-1760. Filed for public inspection October 20, 2017, 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 November 6, 2017. 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-2017-2620046. H. V. Camberg Services, Inc. (11368 Tyrone Pike, Irvona, Clearfield County, PA 16656) for the right to begin to transport, as a common carrier, by motor vehicle, an individual with special needs in paratransit service from their home at 1228 Grassflat Avenue, Grassflat, Clearfield County, PA 16839, to Skills of Central Pennsylvania, Inc., 2437 Commercial Boulevard, Suite 3, State College, Centre County, PA 16801, and return.

A-2017-2625814. Executive Trans, Inc. (48 East Hillcrest Street, Chalfont, Bucks County, PA 18914) persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Jordan Rand, 1835 Market Street, Suite 1400, Philadelphia, PA 19103.

A-2017-2628405. Bucks Charter and Events, LLC, t/a Bucks Charter & Events (441 Upper State Road, Chalfont, Bucks County, PA 18914) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bucks and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-1761. Filed for public inspection October 20, 2017, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due November 6, 2017, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. New Trinity Ambulance, LLC; Docket No. C-2017-2619312

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to New Trinity Ambulance, LLC, (respondent) is under suspension effective August 01, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 5418 North Mascher Street, Rear Garage, Philadelphia, PA 19120.
3. That respondent was issued a Certificate of Public Convenience by this Commission on January 24, 2017, at A-6419007.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6419007 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/29/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of

Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Irvin C.
Gallaher, III, t/a I. Gallaher Trucking;
Docket No. C-2017-2621141**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Irvin C. Gallaher, III, t/a I. Gallaher Trucking, (respondent) is under suspension effective August 09, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 4244 Irvona Road, Irvona, PA 16656-9012.
3. That respondent was issued a Certificate of Public Convenience by this Commission on November 16, 2011, at A-8913745.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8913745 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may

include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/5/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Synergistiks, Inc.;
Docket No. C-2017-2621326**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Synergistiks, Inc., (respondent) is under suspension effective August 10, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 265 Brush Mountain Road, Altoona, PA 16601.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 05, 2005, at A-00121358.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00121358 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/5/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
 Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Wicker Trucking, Inc.; Docket No. C-2017-2622879

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities

within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Wicker Trucking, Inc., (respondent) is under suspension effective August 15, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 700 Porter Avenue, Scottsdale, PA 15683.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 28, 1976, at A-00099447.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00099447 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/6/2017

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law

Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-1762. Filed for public inspection October 20, 2017, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than November 6, 2017. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business address of the respective applicant.

Doc. No. A-17-10-01. Mondal Trans, Inc. (83 South State Road, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience (CPC) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

Doc. No. A-17-10-02. Dosso Trans, Inc. (221 South Chester Pike, Apartment B-7, Glenolden, PA 19036): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 17-1763. Filed for public inspection October 20, 2017, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearings will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

March 7, 2018	Dennis L. Younkin (Benefit Calculation)	10 a.m.
April 11, 2018	Linda L. Reynolds (Disability)	10 a.m.

Persons with a disability who wish to attend a previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to 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.

GLEN R. GRELL,
Executive Director

[Pa.B. Doc. No. 17-1764. Filed for public inspection October 20, 2017, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with Pennsylvania's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

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

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Springfield Manor Farm, LLC 3241 Blue Rock Road Lancaster, PA 17603	Lancaster County/ Manor Township	25.9	Layers	New	Approved
Shelmar Acres, LLC 580 Colebrook Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	734.2	Swine	Amended	Approved
Walmore Holsteins, Inc.— Unit 2 2196 Gap Newport Pike Cochranville, PA 19330	Chester County/ Londonderry Township	415.9	Cattle	Amended	Approved
David K. Stoltzfus 146A Pond Road Ronks, PA 17572	Lancaster County/ Leacock Township	0.0	Cattle	New	Approved
Donald L. Fisher 304 Mountain Road Millerstown, PA 17062	Perry County/ Greenwood Township	272.06	Broilers	New	Approved

NOTICES

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Loren Stoner 336 Sunset Drive Fredericksburg, PA 17026	Lebanon County/ Bethel Township	196.5	Broilers	Existing	Rescinded
Doug Wetzel 2450 Mummasburg Road Gettysburg, PA 17325	Adams County/ Franklin Township	391.77	Turkeys	New	Approved
Irwin Martin 231 Brosius Hill Road Mount Pleasant Mills, PA 17853	Snyder County/ Perry Township	320.44	Turkeys, Cattle and Goats	Amended	Approved
Wen-Crest Farms, LLC— 549 Schaeffer Road Site 549 Schaeffer Road Lebanon, PA 17042	Lebanon County/ South Lebanon Township	0.0	Broilers	New	Approved
Eugene Martin 74 Wintersville Road Richland, PA 17087	Berks County/ Tulpehocken Township	211.19	Broilers	New	Approved

RUSSELL C. REDDING,
Chairperson

[Pa.B. Doc. No. 17-1765. Filed for public inspection October 20, 2017, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

Triennial Review of Water Quality Standards

The Environmental Quality Board (Board) proposes to amend Chapter 93 (relating to water quality standards) to read as set forth in Annex A.

This proposed rulemaking was adopted by the Board at its meeting of April 18, 2017.

A. *Effective Date*

This proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*, and subsequent approval by the United States Environmental Protection Agency (EPA) when water quality standards are used to implement the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388).

B. *Contact Persons*

For further information, contact Thomas Barron, Bureau of Clean Water, 11th Floor, Rachel Carson State Office Building, P.O. Box 8774, 400 Market Street, Harrisburg, PA 17105-8774, (717) 787-9637; or Michelle Moses, Assistant Counsel, Bureau of Regulatory Counsel, 9th Floor, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection (Department) web site at www.dep.pa.gov (select “Public Participation,” then “Environmental Quality Board (EQB)”).

C. *Statutory and Regulatory Authority*

This proposed rulemaking is being made under the authority of sections 5(b)(1) and 402 of The Clean Streams Law (35 P.S. §§ 691.5(b)(1) and 691.402), which authorize the Board to develop and adopt rules and regulations to implement The Clean Streams Law (35 P.S. §§ 691.1—691.1001), and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which grants to the Board the power and duty to formulate, adopt and promulgate rules and regulations for the proper performance of the work of the Department. In addition, section 303 of the Federal Clean Water Act (33 U.S.C.A. § 1313) sets forth requirements for water quality standards.

D. *Background and Purpose*

Water quality standards are in-stream water quality goals that are implemented by imposing specific regulatory requirements (such as treatment requirements, effluent limits and best management practices (BMPs)) on individual sources of pollution. Section 303(c)(1) of the Federal Clean Water Act requires that states periodically, but at least once every 3 years, review and revise as necessary their water quality standards. Water quality standards include designated uses, numeric and narrative criteria and antidegradation requirements for surface waters. The amendments in this proposed rulemaking are the result of ongoing reviews and evaluations of the water quality standards conducted by the Department. This proposed rulemaking fulfills the Federally-required triennial

review of water quality standards as mandated by the Federal Clean Water Act.

Pennsylvania water quality standards, which are generally codified in Chapter 93, are designed to implement the requirements of sections 5 and 402 of The Clean Streams Law and section 303 of the Federal Clean Water Act. The water quality standards include the existing and designated uses of the surface waters of the Commonwealth, along with the specific numeric and narrative criteria necessary to achieve and maintain those uses, and an antidegradation policy, which prohibits degradation of waters. The water quality standards also include a policy for the special protection of the existing quality of certain waters found to be of High Quality (HQ) or Exceptional Value (EV).

Water quality standards are an important element of the Commonwealth’s water quality management program. Some type of water quality standard has been in use for over 75 years in this Commonwealth. One of the early actions after the Sanitary Water Board (SWB) was created in 1923 was to classify streams by priority for water quality management actions. In 1947, the SWB classified all streams in this Commonwealth by the degree of treatment that had to be provided before discharge could occur. Article 301—Water Quality Control, which specifically contained water uses, general and specific water quality criteria, and designated water uses, was added to the SWB’s Rules and Regulations on June 28, 1967. The SWB was abolished on January 19, 1971, following the formation of the Department of Environmental Resources (DER) in 1968. Responsibilities for developing and maintaining the water quality criteria and standards and other related regulations were transferred to DER. New or revised specific water quality criteria and standards were developed by DER for all surface waters in this Commonwealth, and formally adopted into Chapter 93 on September 10, 1971.

DER completed its first major review and complete overhaul of the water quality criteria and standards in 1979. After a series of public hearings and extensive public participation, revisions to the water quality criteria and uses were incorporated into Chapter 93. EPA Region III formally approved the revisions to Pennsylvania’s water quality standards on January 26, 1981. Section 303(c)(1) of the Clean Water Act requires that states periodically, but at least once every 3 years, review and revise as necessary their water quality standards. Therefore, additional reviews and revisions were made to the Commonwealth’s water quality standards in 1985, 1989 and 1994. The then newly-formed Department, which was created in June 1995, after splitting DER into two agencies by approval of the Conservation and Natural Resources Act (71 P.S. §§ 1340.101—1340.1103), began to conduct its first comprehensive review of water quality standards regulations, policies and implementation procedures which became the basis for the next triennial review. Additional reviews and revisions were made to the Commonwealth’s water quality standards in 1998, 1999, 2000, 2002, 2004, 2009 and 2013 to address amendments for the Great Lakes Initiative, antidegradation policies, the Water Quality Standard Regulatory Basics Initiative Triennial and several other corrective amendments.

The EPA urged the Department in a letter dated January 21, 2013, to include the Federally-recommended ammonia and recreational water quality criteria (RWQC)

into the Commonwealth's water quality standards. Also, the EPA specifically recommended in its May 22, 2014, approval letter in reference to the 2013 Pennsylvania Triennial Review of Water Quality Standards "that PADEP will address the issues of total dissolved solids, most notably chlorides, ammonia, and recreational criteria" in its next triennial review.

On March 24, 2016, the Department's Water Resources Advisory Committee voted to concur with the Department's recommendation to move this proposed rulemaking forward for Board consideration. In addition, the Department provided to the Agricultural Advisory Board on February 25, 2016, a regulatory review that included the triennial review of water quality standards. Also, the Department provided to the Citizens Advisory Council on June 21, 2016, an overview of the triennial review.

E. Summary of Regulatory Requirements

The following is a detailed description of proposed amendments to Chapter 93.

§ 93.7. Specific water quality criteria—Table 3

The Board is proposing the following changes to the Table 3 criteria:

Ammonia criteria: The EPA released in April 2013 final recommendations for Aquatic Life Ambient Water Quality Criteria for Ammonia—Freshwater 2013 (EPA 822-R-13-001). These recommendations are intended as guidance to states, territories and authorized tribes in developing water quality standards to protect aquatic life from exposure to ammonia. The Department assessed the peer-reviewed technical documentation for the recommended ammonia criteria and found it was scientifically sound and appropriate for the surface waters of the Commonwealth. The document can be accessed at <https://www.epa.gov/wqc/aquatic-life-criteria-ammonia>.

These recommendations consider the most recent scientific research regarding the effects of ammonia on aquatic life and incorporate the latest toxicity information for freshwater species, including unionid mussels and gill-breathing (nonpulmonate) snails.

Freshwater unionid mussels are found in many states of the continental United States and many of these mussels are Federally-listed as endangered or threatened species. Freshwater mussels are broadly distributed across the United States, as are freshwater nonpulmonate snails. Both of these sensitive groups are now included in the ammonia criteria dataset. There are approximately 65 species of unionid mussels in this Commonwealth, including many that are rare or endangered. The seven most sensitive genera in the acute dataset are all in the family Unionidae and all of these genera, except for *Venustaconcha*, are found in this Commonwealth. The two most sensitive genera in the chronic dataset are also unionid mussels, and are both found in this Commonwealth. These criteria are appropriate for Pennsylvania because they provide sufficient protection for the most sensitive fauna in this Commonwealth.

The magnitude for both the acute (CMC) and chronic (CCC) criteria is determined by two separate equations and is given as a concentration in milligrams of total ammonia nitrogen per liter (mg TAN/L). Temperature and pH both influence the toxicity of ammonia. Temperature has little effect on the toxicity of total ammonia nitrogen (TAN) to fish, therefore the effect concentrations for fish are only normalized for pH. For invertebrates, temperature and pH affect the toxicity of TAN, so the TAN effects concentrations are normalized for pH and temperature.

At pH = 7, the acute criterion magnitude is driven by freshwater unionid mussels at water temperatures greater than 15.7°C (60.27°F). The TAN effects concentrations of salmonids and other fish drive the acute criterion magnitude at lower temperatures. The 2013 chronic criterion magnitude is determined primarily by the sensitivity of freshwater mollusks, particularly unionid mussels.

Therefore, the EPA developed the acute and chronic criteria equations with the underlying assumption that mussels are present, and this is appropriate for Pennsylvania, as sensitive mussels are ubiquitous throughout this Commonwealth. Additionally, the EPA developed an acute criteria equation that is appropriate when salmonids are present (along with the aforementioned mussels also being present). It is appropriate to use the acute criteria equation that considers the sensitive salmonids. The Department recommended that the Board consider salmonids being present when determining the Statewide CMC for TAN for several reasons: 1) salmonid fishes are common throughout this Commonwealth; 2) this equation uses the set of conditions that generates the most stringent criteria, so the proposed CMC will most certainly be sufficiently protective; and 3) all of the proposed acute criteria values generated by the proposed equation (regardless of the ambient pH and temperature conditions) are less restrictive than the values for the current acute criteria calculated using the same pH and temperature. Adopting this approach will not be detrimental to any current dischargers because the proposed acute standards will be less restrictive under all temperature and pH conditions. The 2013 chronic criterion magnitude is determined primarily by the sensitivity of freshwater mollusks, particularly unionid mussels, therefore the presence or absence of salmonids is inconsequential in the determination of the proposed chronic criteria.

As previously mentioned, adopting the acute criterion will not be detrimental to any current dischargers because the proposed acute standards will be less restrictive under all temperature and pH conditions. The chronic criterion becomes more stringent as pH and temperature increase just the same as the current chronic ammonia criterion does. Median summer temperature and pH were calculated using data from 235 fixed water quality network sampling sites collected from 2000 to 2015. The data is representative of all different types of streams found Statewide. The new chronic criterion is typically more stringent than the existing criterion in streams with low pH and temperature. These are typically smaller headwater streams where it is less likely for a discharge to exist. At pH < 7, the new criterion is more stringent being anywhere from 0.1 to 1.5 mg/l lower. It is most stringent in cold streams with pH near 6.0. At pH > 7.8 the proposed compared to the current criterion is less stringent by 0.2 mg/l or less. Between pH 7.5 and 7.8, the proposed criterion is typically more stringent but 95% of the time the difference is less than 0.17 mg/l and only 0.6 mg/l 50% of the time. Between pH of 7.0 to 7.5 mg/l half the time the proposed criterion is higher and half the time it is less stringent depending on the temperature. When the EPA-recommended criteria are more stringent, 95% of the time the difference is < 0.9 mg/l.

Overall, with respect to the proposed ammonia criteria, the Board expects either no impact or minimal impact on the great majority of point source discharges in this Commonwealth. In those cases, when additional treatment for ammonia may be needed, minimal cost impact is expected because ammonia is highly treatable. Treatment

usually involves only time allowed for biological degradation and exposure to atmospheric oxygen.

The Board proposes to replace the current Statewide aquatic life use criteria for ammonia with the new Federally-recommended criteria for ammonia. Statewide application of these Federally-recommended water quality criteria would provide an appropriate level of protection for aquatic life from the effects of ammonia.

Bacteria criteria: The Board is proposing amendments to the bacteria criteria that will include replacing the current fecal coliform-based criteria for water contact sports (WC) during the swimming season (May 1 to September 30) with the EPA's recommended 2012 RWQC in the Commonwealth's surface waters. The Department assessed the peer-reviewed technical documentation for the EPA's recommended recreational criteria for bacteria and found it was scientifically sound and appropriate for the surface waters of the Commonwealth. The document can be accessed at <https://www.epa.gov/sites/production/files/2015-10/documents/rwqc2012.pdf>.

The Commonwealth's current recreational use bacteria criteria have been based upon a maximum fecal coliform level of 200 colony forming units per 100 mL (cfu/100 mL) since the early 1970s. It is now widely accepted that *Escherichia coli* (*E. coli*) levels are a better indicator of fecal contamination than fecal coliforms. This change is designed to protect those engaging in WC (defined as the use of the water for swimming and related activities) from fecal contamination. There are two sets of recommendations based on two different risk paradigms (36 illnesses per 1,000 swimmers and 32 illnesses per 1,000 swimmers). The EPA maintains, in the 2012 RWQC, that both risk paradigms are adequately protective. The Board proposes the adoption of the *E. coli* freshwater levels associated with Recommendation 1, the 36 per 1,000 illness rate. The *E. coli* levels associated with this risk paradigm (geometric mean (GM) = 126 cfu/100 mL and statistical threshold value (STV) = 410 cfu/100ml) are most closely akin to the current Department of Health (DOH) standards in 28 Pa. Code § 18.28 (relating to bathing beach contamination) and the criteria that were promulgated for Lake Erie and Presque Isle under the 2004 Bacteria Rule (40 CFR 131.41 (relating to bacteriological criteria for those states not complying with Clean Water Act section 303(i)(1)(A))) published at 69 FR 67218 (November 16, 2004). The criteria values for the current DOH standards and the criteria values that were Federally-promulgated for Lake Erie beaches, including Presque Isle, are a geometric mean value of 126 and a single sample maximum value (SSM) of 235. This SSM feature is not part of the 2012 RWQC. The SSM has been replaced by the STV of 410, which is most similar to the SSM (409) for the 90th percentile from the EPA's 1986 recommended bacteria criterion. To achieve the most consistent approach, the Board is favoring the criteria based on the similar geometric mean and SSM values. The Department believes this will result in a more seamless transition.

The Department conducted field studies making side-by-side sample comparisons between the current fecal coliform and proposed *E. coli* criteria. The study included 181 sites in 7 different watersheds. Applying the proposed *E. coli* standard would impair 15% more sites for WC recreation than the fecal coliform standard. This indicates the proposed standard provides a higher level of protection from waterborne diseases for the citizens of this Commonwealth.

Other proposed amendments to Table 3 and § 93.9x (relating to Drainage List X) provide further clarification.

First, the Board would like to emphasize that the DOH bathing beach contamination in 28 Pa. Code § 18.28 applies to all regulated beaches Statewide. Therefore, the Board is proposing to delete references to the DOH regulation in § 93.9x since it is not limited to Lake Erie. The Board also proposes to delete language in § 93.9x which refers to 40 CFR 131.41, which pertains to Lake Erie and Presque Isle beaches. These references to 40 CFR 131.41 and 28 Pa. Code § 18.28, as Exceptions to Specific Criteria, are no longer necessary since the proposed *E. coli* WC criterion in Bac₁ will be applied Statewide and the DOH regulation applies Statewide.

Bac₁ is designed to be protective of activities involving WC. The Bac₁ criterion is systematically applied to all surface waters in the Commonwealth unless otherwise specified in other portions of Pennsylvania's water quality standards.

Historically, the Bac₂ criterion was originally implemented as a site-specific criterion to protect the potable water supply (PWS), when the WC use was removed at Lake Erie and has always only been implemented in these select waters. Therefore, Bac₂ is currently only applicable in the outer Erie Harbor and Presque Isle Bay; specifically, in the harbor area and central channel dredged and maintained by the United States Army Corps of Engineers. Therefore, the Board proposes to delete the Bac₂ criterion from Table 3 and add this criterion in a new table in § 93.9x, where it only applies to Lake Erie waters.

The Board proposes that the current nonswimming season fecal coliform-based numerical criterion in Bac₁, which is a geometric mean maximum value of 2,000 cfu/100 mL, be retained and should continue to be applied Statewide in all surface waters from October 1 through April 30. The EPA is currently conducting research in an attempt to develop criteria that will be protective of secondary contact recreation. When the EPA finalizes and recommends these new Federal secondary contact recreational criteria, the Department will conduct a thorough review and evaluate whether the recommendations are appropriate for the Commonwealth.

Chloride criteria: Chlorides occur naturally in streams and are ubiquitous. Elevated levels of chloride are toxic to aquatic life in freshwater environments. The existing chloride criterion was developed primarily for the protection of PWS and is only applied at the point of water supply intake under § 96.3(d) (relating to water quality protection requirements). The Board proposed updates to the chloride criteria in several earlier rulemakings, but withdrew those recommendations due to objections from commentators that suggested additional research was needed. The Board initiated a proposed rulemaking for the promulgation of the 1988 National aquatic life criteria for chloride at its March 16, 2010, meeting. The proposed aquatic life criteria (230 mg/l = chronic; 860 mg/l = acute) mirrored the National-recommended aquatic life criteria that were published in February 1988 by the EPA in Ambient Water Quality Criteria for Chloride. That proposed rulemaking was published at 40 Pa.B. 2264 (May 1, 2010) with a comment period that closed on June 15, 2010. Based on comments received during that public comment period, the Department re-evaluated the science used in the determination of the chloride criterion successfully implemented by the Iowa Department of Natural Resources, which was based on research conducted by the EPA, along with the Great Lakes Environmental Center in Columbus, OH, and the Illinois Natural History Survey in Champaign, IL. That research demonstrated a

correlation between chloride toxicity and hardness, and, to a lesser degree, sulfates levels in water. The final results of this toxicity testing were published in the report "Acute Toxicity of Chloride to Select Freshwater Invertebrates," EPA, October 28, 2008. The Board proposed a new equation-based criterion, which was published at 42 Pa.B. 4367 (July 7, 2012). This equation-based criterion was also later withdrawn because of requests for the Department to conduct further studies.

In response to these earlier rulemaking actions, the Department conducted additional studies to characterize the ionic composition of surface waters and contracted with the Stroud Water Research Center in Avondale to perform chloride toxicity testing on mayflies. The studies were designed to provide the additional information needed to support the development of a chloride criterion that is protective across the range of aquatic habitats and species in waters in this Commonwealth. The mayfly studies demonstrated the toxicity of chlorides is hardness dependent but the responses differed from those modeled in the previously mentioned study that used cladocera (water fleas) as the test organisms. There was not a sufficient number of mayfly toxicity tests done at varying hardness levels to determine a good mathematical relationship between hardness and chloride toxicity. The chloride criteria require adjustment to differing hardness levels so as not to be over or under protective at different hardness values. That adjustment remains a question as the cladocera responded differently from the mayflies and there were not enough tests to adequately define the mayfly response.

More recently, the EPA published for public comment on December 20, 2016, *Draft Field-Based Methods for Developing Aquatic Life Criteria for Specific Conductivity*. The Department is currently reviewing this new field-based method to determine how it applies to Pennsylvania. The document provides a scientific method to assess ecological effects of ions based on specific conductance. Elevated ionic concentration measured as specific conductivity has been shown to negatively impact aquatic life in a range of freshwater resources. Since specific conductance is a composite measure of all ions present in the water, it is believed it accounts for the toxic or protective interactions of the ions on overall toxicity. This field-based method is a shift away from traditional laboratory toxicity testing to develop criteria for individual ions such as chloride. Criteria for individual ions developed using laboratory toxicity tests requires adjustment at least for hardness as toxicity is at least partly dependent on hardness levels. Since conductivity is a surrogate measure for all the ions present in the water, this EPA study determines that conductivity better accounts for interactions between all ions and toxicity than simply defining a relationship between only hardness and toxicity. For the ions, it is also believed that organism community field-based responses are better indicators of toxic impacts than single species controlled laboratory tests.

This study was geared toward waters where sulfate was the dominant ion but the same field-based methods are suggested for other ions such as chloride. The EPA recommendation is that there are advantages to using this field-based conductivity method for ions because it better accounts for interactions between ions than does the hardness adjustment. As previously stated, the hardness to toxicity relationship was not defined well enough in the laboratory cladocera and mayfly toxicity tests. Once finalized, states and authorized tribes may use the methods to develop field-based specific conductivity criteria for flowing waters. This document does not impose

binding water quality criteria on any state. The 60-day public comment period has closed and the EPA will consider the comments, revise the document, as appropriate, and publish a final document.

Due to the complex nature of the chemical interactions that determine the toxicological responses of aquatic organisms to chloride, and the release for comment of the field-based specific conductivity draft that addresses these concerns through specific conductance rather than the individual ions, the Department is not recommending a specific chloride criterion with this proposed rulemaking. The Department continues to review all available science, including the *Draft Field-Based Methods for Developing Aquatic Life Criteria for Specific Conductivity* from the EPA and any new data acquired through the additional studies in efforts to develop appropriate criteria intended to be applied in all freshwaters of the Commonwealth for the protection of aquatic life.

§ 93.8a. Toxic substances

The Board proposes to delete the reference in subsection (b) to Chapter 16, Appendix A, Table 1A since this table is proposed to be deleted in a separate proposed statement of policy. See 47 Pa.B. 6703 (October 21, 2017). The Department will now maintain a publicly available online table of site-specific human health and aquatic life criteria that have been recently developed or adopted by the Department based on approved methodologies and the best scientific information currently available. It should be noted that a similar amendment is proposed in § 93.8c(a) (relating to human health and aquatic life criteria for toxic substances). Also, subsection (b) is proposed to be amended to note that the approved analytical procedures and detection limits for these substances will be listed in Chapter 16 (relating to water quality toxics management strategy—statement of policy), as appropriate. The tables can be accessed at <http://www.dep.pa.gov/Business/Water/CleanWater/WaterQuality/Pages/Site-Specific-Water-Quality-Criteria-In-PA.aspx>.

Additionally, the Board proposes to delete in subsection (j)(3) the reference to 40 CFR 131.32(a), which has been reserved. Deletion of this cross-reference was missed during the previous triennial review.

§ 93.8c. Human health and aquatic life criteria for toxic substances

The Board proposes to clarify in subsection (a) that, for those aquatic life criteria that are a function of local water quality conditions and are specified as a formula, such as several of the heavy metals, the hardness and pH values used to derive the appropriate water quality criteria shall be determined by instream measurements or best estimates, representative of the median concentrations or conditions of the receiving stream for the applicable time period and design conditions.

The Board proposes to delete the prohibition in subsection (b) and clarify that criteria in Table 5 may apply to the Great Lakes System for those substances not listed in Table 6.

The Board is proposing additions and amendments to the human health and aquatic life criteria in Table 5. Water quality criteria are to be based solely on the best available scientific data and scientific judgments on pollutant concentrations and their effects on human health or aquatic life. The criteria are tools used to calculate discharge limits in the National Pollutant Discharge Elimination System (NPDES) program and to support other pollution control efforts. The criteria in Table 5 are

proposed to be updated to reflect the latest scientific information and implementation of existing EPA policies in the Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health (EPA-822-B-00-004, October 2000). The proposed updates include new scientifically-based exposure factors for body weight (80 kg), drinking water consumption rate (2.4 liters per day) and fish consumption rate (22.0 kg per day).

The EPA announced at 80 FR 36986 (June 29, 2015) the final updates recommended for 94 pollutants. In addition to the updated exposure factors, the EPA has determined pollutant-specific bioaccumulation factors and has updated available toxicity values using the data from the EPA Integrated Risk Information System as the primary source. The Department reviewed the National recommendations and determined the criteria are scientifically sound and applicable for the protection of Pennsylvania waters. The document can be accessed at <https://www.epa.gov/sites/production/files/2015-10/documents/human-health-2015-update-factsheet.pdf>.

Following are compounds that have been recommended by the EPA since the completion of the Commonwealth's previous triennial review published at 43 Pa.B. 4080 (July 20, 2013). This list contains new criteria to protect human health from toxic substances that currently are not in Table 5.

Summary of Table 5 proposed criteria

Chapter 93 currently includes criteria for nonylphenol, which are based on guidance provided by the EPA. The EPA took no action to approve or disapprove this criterion as part of the previous triennial review. The EPA prepared a biological evaluation regarding Federally-listed threatened and endangered species and their critical habitat. The United States Fish and Wildlife Service could not concur that this criterion for nonylphenol would be protective of endangered mussels in this Commonwealth. Due to this disagreement, the EPA did not approve the Commonwealth's final Statewide criterion, which was based on the EPA's National recommendation. Without final approval, the Department may not use the nonylphenol standard, as a Statewide criterion, to implement the Federal Clean Water Act. This triennial review retains the existing Statewide water quality criterion for nonylphenol and the Department will, again, submit the criterion to the EPA for approval. Until the EPA approves the criterion, the Department will use site-specific water quality criteria as applicable.

After a thorough review of the 94 individual recommended criteria updates, the Board is proposing to adopt the updated criteria for 73 compounds and add 11 new human health compounds to Table 5. There are ten EPA-recommended criteria that are the same as the criteria currently in Table 5, and therefore no change is recommended for these criteria.

The Board proposes the following 11 new human health toxic pollutants be added to the water quality criteria for toxic substances in Table 5. The Board will also clarify which pollutants in Table 5 have human health criteria that are still based on the exposure inputs of 2 liters per day of drinking water and consumption of 22 grams of fish per day for the protection of a 70 Kg person, based on the unavailability of information needed to calculate criteria based on new exposure assumptions. The regulations will also indicate which of the criteria were developed by the Department (D) or the EPA (E) for those pollutants in Table 5 without a Priority Pollutant Number (PP NO).

Currently, there are acute (3,000 ug/L) and chronic (610 ug/L) aquatic life criteria for 1,1,1-trichloroethane in Table 5, but no human health criterion for trichloroethane. The EPA-recommended human health criterion is 10,000 ug/L. Ingestion of drinking water is a potentially significant source of exposure to 1,1,1-trichloroethane. Inputs used to derive the 2015 updated human health AWQC are protective of exposure to 1,1,1-trichloroethane from consuming drinking water and eating fish and shellfish (organisms) from inland and near shore waters.

1,2-dichloropropane is classified as Group B2, "probable human carcinogen," under the EPA's *Guidelines for Carcinogen Risk Assessment* (1986). The major source of 1,2-dichloropropane in drinking water is discharged from industrial chemical factories. It may be released into the atmosphere or in wastewater during its production or use as an intermediate in chemical manufacture. There were also significant releases during its former use as a soil fumigant, and it may leach from municipal landfills. There are currently acute (11,000 ug/L) and chronic (2,200 ug/L) aquatic life criteria in Table 5. The EPA-recommended cancer risk level (CRL) is 0.9.

1,2,4,5-tetrachlorobenzene was historically used as an insecticide, an intermediate in the production of herbicides and defoliants, and a component of dielectric fluids. Currently, 1,2,4,5-tetrachlorobenzene is not registered for use as a pesticide. The general population could be exposed to 1,2,4,5-tetrachlorobenzene through inhalation of ambient air and drinking water. The EPA is recommending a human health criterion of 0.03 ug/L.

2,4,5-trichlorophenol was once registered as an antimicrobial by the EPA, but is not currently a registered pesticide. Chlorophenols can be formed when water containing humic substances is treated with chlorine and has a pH ranging from 7 to 8. The general population could be exposed to chlorophenols through ingestion of water and food contaminated with the compounds as well as inhalation of contaminated air. 2,4,5-trichlorophenol has been detected in fish. The EPA-recommended human health criterion is 300 ug/L.

3-methyl-4-chlorophenol is used as a disinfectant and a preservative in the United States. It also is registered in the United States as an antimicrobial pesticide and is currently in the re-registration process by the EPA. Exposure of the general population to the chemical might occur through inhalation and dermal contact. The EPA is recommending a human health criterion of 500 ug/L.

Methoxychlor is an insecticide that is no longer produced or used in the United States. Prior to its cancellation as an approved pesticide, the chemical was detected in fish from the Great Lakes at levels ranging from 10 to 120 ug/kg wet weight. It was also detected in several species of migratory fish in Great Lakes tributaries at concentrations up to 1.4 ug/kg. In the EPA's National Lake Fish Tissue Study, the chemical was detected in 1–5% (that is, 9 of 468) of the predator fillets (at a maximum concentration of 370 parts per billion) and 5.8% (that is, 23 of 395) of the bottom-dweller whole body fish samples (at a maximum concentration of 107 parts per billion). Thus, based on available exposure information and its high potential to bioaccumulate, ingestion of fish and shellfish is a potentially significant source of exposure to methoxychlor. The EPA-recommended human health criterion is 0.02 ug/L.

Chlorophenoxy herbicide (2,4-D) is an herbicide used to control broad-leaved weeds in cereals, grain crops, road-

sides and farm buildings. 2,4-D is currently registered as a pesticide by the EPA. Human exposure to 2,4-D might occur through inhalation and ingestion of food and water. The primary exposure routes for the general public are through food residues and water ingestion. Based on its low potential for bioaccumulation, exposure to this chemical from ingestion of fish and shellfish is not considered likely. Because of the lack of data in fish and shellfish, the EPA has not established bioaccumulation factors according to trophic levels. 2,4-D is calculated with a total bioaccumulation factor of 13 L/kg. The EPA's recommended criterion is rounded from 1,371 ug/L to 1,300 ug/L. The Department disagrees with this rounding and the criterion will be rounded up to 1,400 ug/L.

Chlorophenoxy herbicide (2,4,5-TP) is an herbicide that is no longer used in the United States. This herbicide was formerly used to control woody plants, broadleaf herbaceous weeds and aquatic weeds. Cancellation of all registered uses in the United States was put into effect on January 2, 1985. Prior to the cancellation of 2,4,5-TP, research surveys detected the chemical in large fruit samples and dairy products. Recent monitoring information on 2,4,5-TP in imported foods could not be identified. Based on the available exposure information for 2,4,5-TP, and given that the chemical is no longer produced or used in the United States, the EPA does not anticipate that there will be significant sources and routes of exposure of 2,4,5-TP other than fish and shellfish from inland and nearshore waters and water ingestion. The EPA is recommending a human health criterion of 100 ug/L.

Dinitrophenols can be found today in contaminated air, as well as in waste water originating from some manufacturing sites. The inputs used to calculate the criterion for dinitrophenols are identical to the inputs used to calculate 2,4-dinitrophenol. The criterion for dinitrophenols will be protective for all forms of dinitrophenols (2,4-; 2,5-; and 2,6-dinitrophenol). The EPA-recommended criterion for dinitrophenols is 10 ug/L.

Hexachlorocyclohexane (HCH)-technical has several isomers, one of which goes by the common name lindane. Lindane is found in prescription topical treatments and has been used as an insecticide on fruit, vegetables and forest crops. Technical grade HCH is classified as Group B2, "probable human carcinogen." The EPA is recommending a CRL of 0.0066.

Pentachlorobenzene is generated as a by-product in a variety of industrial processes, such as solid waste incineration and combustion of coal. Air is likely the primary source by which the general population is exposed to pentachlorobenzene; however, water and food ingestion might also be significant. Based on the physical properties and available exposure information for pentachlorobenzene, air, fish and shellfish are potentially significant sources. The EPA is recommending a human health criterion of 0.1 ug/L.

§ 93.8d. *Development of site-specific water quality criteria*

The Board proposes to add to subsection (c) that the Department may require the use of the Biotic Ligand Model for the development of new or updated site-specific criteria for copper in freshwater systems.

The Board also proposes to clarify in subsection (f)(2) that the Department has developed a publicly available online resource to maintain a table of site-specific criteria that have been developed and are being used by the Department in permitting and other pollution control measures. This table will be routinely updated as new criteria are developed or other applications and imple-

mentation of existing site-specific criteria are added. Tables can be accessed at <http://www.dep.pa.gov/Business/Water/CleanWater/WaterQuality/Pages/Site-Specific-Water-Quality-Criteria-In-PA.aspx>.

§ 93.8e. *Special criteria for the Great Lakes System*

As previously stated, the Board proposes to clarify that, for any pollutant not listed in Table 6, criteria in Table 5 may be used to protect existing and designated uses in the Great Lakes System, or that criteria will be developed by the Department, as needed, in accordance with Chapter 93 and the methods in Chapter 16.

§§ 93.9a—93.9z—*Corrections to drainage lists*

The following amendments to the drainage lists are proposed by the Board to clarify stream names and segment boundaries and designations.

The Board is proposing to consolidate and reformat several drainage lists to address the continual changes and updates occurring to the National Hydrography Dataset (NHD) flowline.

The NHD flowline forms the basis of the Department's Designated and Existing Use Geographic Information System (GIS) layers. The NHD flowline is established using the United States Geological Survey (USGS) Geographic Names Information System (GNIS), which is the Federal and National standard for geographic nomenclature. The Department strives to maintain consistency with the GNIS database and the NHD flowline.

The Department routinely receives internal and external communications concerning streams that appear to be missing from Chapter 93. Often, these streams were considered unnamed at the time the drainage list was established and therefore were captured under unnamed tributaries entries. These streams currently have a designated use even though they do not appear as named entries in Chapter 93. In contrast, there are a number of named tributaries in Chapter 93 that are not currently recognized by the USGS and are not represented by the NHD flowline. These may be unofficial local names. Consolidation within drainage lists will greatly reduce these issues.

In many parts of the drainage lists, the current format consists of a main stem entry for a stream, followed by unnamed tributaries to that stream, and then individually named tributaries within the basin. Often, most of the tributaries, both named and unnamed, have the same designated use. In some cases, an entire basin is the same designated use except for a few streams. Large stream basins may take up several pages within a drainage list and can be difficult for individuals to navigate and understand. Reformatting large basins to consolidate portions of Chapter 93 that have the same designated use enables readers to view that entire basin within a page or two. In addition, a condensed drainage list reduces the likelihood that errors will occur in transcription of Chapter 93 during rulemaking procedures. The Department currently has several GIS mapping tools available, including eMapPA and WAVE, to assist staff, members of the public and the regulated community in locating streams in this Commonwealth, and they should be used in conjunction with the *Pennsylvania Code* and other available online mapping resources to determine official designated uses.

In addition, all river mile indexes (RMI) in §§ 93.9a—93.9z included in this triennial review will be converted to (x,y) coordinates—latitude and longitude. The conversion of RMI in all of the drainage lists is not included in

this proposed rulemaking. Going forward, whenever changes are proposed to Chapter 93, associated RMI will be converted to latitude and longitude. Eventually, all reference to RMI in §§ 93.9a—93.9z will be converted to latitude and longitude. The following additional proposed corrections do not change the current stream use designations, and only serve as clarifications and corrections.

§ 93.9b. *Drainage List B*

A clarification is proposed for this section. Currently, there are two entries for the Lackawaxen River. However, the entire main stem Lackawaxen River is designated HQ-Trout Stocked Fishes (TSF), Migratory Fishes (MF) from its origin at the confluence of West Branch Lackawaxen River and Van Auken Creek downstream to where it enters the Delaware River. It is proposed that the main stem be covered by a single entry.

§ 93.9c. *Drainage List C*

The Board proposes to clarify this section to eliminate the confusion associated with two named tributaries to the Delaware River that are currently included under two separate entries for unnamed tributaries. It is proposed to give Spackmans Creek and Mill Creek their own entries to identify them as tributaries to the Delaware River.

§ 93.9d. *Drainage List D*

The proposed correction will reformat the Tobyhanna Creek basin to eliminate any issues associated with named tributaries in the basin that are currently included under an unnamed tributaries entry.

The proposed correction will replace a bridge reference in the zone description for the Lehigh River. The correction will replace the PA 903 bridge with GIS coordinates. The Division of Water Quality Standards was notified that the PA 903 bridge is being relocated 1,000 feet upstream as part of a bridge replacement project.

The stream nomenclature for the Mauch Chunk Creek basin is proposed to be corrected to be consistent with the NHD flowline. Accordingly, White Bear Creek forms the headwaters of this basin. White Bear Creek enters into Mauch Chunk Lake. Mauch Chunk Creek begins at the outlet of Mauch Chunk Lake. In addition, Beaverdam Run is proposed to be corrected to Beaver Run.

The proposed correction to the Jordan Creek basin will eliminate any confusion associated with named tributaries to Jordan Creek that are currently included under entries for unnamed tributaries.

§ 93.9e. *Drainage List E*

Proposed corrections will eliminate the confusion associated with named tributaries in the Delaware River basin that are included under the current listing of unnamed tributaries. Rodges Run, Falls Creek, Swamp Creek, Smithtown Creek and Biles Creek are proposed to be added. The Department gained knowledge that these tributaries had been officially named subsequent to the inclusion of these streams under the listing of unnamed tributaries in this section.

§ 93.9f. *Drainage List F*

A proposed amendment will correct the hydrological order for Plum Creek and replace the RM reference with GIS coordinates. Plum Creek is a tributary to Tulpehocken Creek and should have 4 for hydrological order rather than 5. Unnamed Tributary to Plum Creek at RM 0.45 should have 5 for hydrological order rather than 6.

The Manatawny Creek basin is proposed to be reformatted to be consistent with the NHD flowline and historical rulemakings. The proposed corrections also clarify that the confluence of Pine Creek and Bieber Creek forms the Manatawny Creek basin.

Proposed corrections will eliminate the confusion associated with named tributaries in the Perkiomen Creek basin that are included under the current listing of unnamed tributaries. The Perkiomen Creek basin is being reformatted to incorporate Molasses Creek and Donny Brook.

§ 93.9g. *Drainage List G*

Proposed amendments will restore the correct designated use, as described in a final-form rulemaking published at 15 Pa.B. 544 (February 16, 1985), to the waters described as Goose Creek basin. According to the current NHD flowline, the zone (referred to in the 1985 final-form rulemaking as Goose Creek basin) that was redesignated in 1985 is currently described as the Chester Creek basin from the source to East Branch Chester Creek. The 1985 water quality standards triennial review adopted at 15 Pa.B. 544 redesignated Goose Creek from TSF to Warm Water Fishes (WWF). The preamble for that final-form rulemaking described Goose Creek as originating in West Goshen Township, Chester County, and flowing southeastward for approximately 5 miles to its confluence with East Branch Chester Creek. The Goose Creek drainage area includes portions of West Chester Borough and West Goshen, Westtown and Thornbury Townships, Chester County and a small portion of Thornbury Township, Delaware County. The West Goshen sewage treatment plant also discharges to Goose Creek. The corrections to drainage lists final-form rulemaking published at 27 Pa.B. 3050 (June 28, 1997), proposed at 26 Pa.B. 3637 (August 3, 1996), changed the reference from Goose Creek to Unnamed Tributary to East Branch Chester Creek at RM 0.4 (“Goose Creek”). This change was made erroneously. The preamble to the proposed rulemaking published at 26 Pa.B. 3637 stated that “Goose Creek is not found on topos or in Gazetteer of Streams, and is a local name for an UNT (# 00605, near State Rt 926).” This change was incorrect because it directly contradicted the description for Goose Creek in the preamble of the 1985 water quality standards triennial review published at 15 Pa.B. 544. Because of this change, the section that is WWF was actually switched to a different stream in the Chester Creek basin. The Blue Eye Run final-form rulemaking was published at 40 Pa.B. 1734 (April 3, 2010). The Department replaced the stream name listing for UNT 00605 to East Branch Chester Creek at RM 0.4 (Goose Creek) with Westtown Run. This amendment was made to be consistent with an electronic topographical GIS map layer that named this stream Westtown Run. Westtown Run is also named as such in the 1997 topo quad. Westtown Run is not labeled on the 2010 or 2013 topo quad. Westtown Run is not named as such on the NHD flowline. According to this section, Westtown Run (stream code 00605) is currently designated WWF, MF but it should be TSF, MF.

Clarifying language is proposed for two zone descriptions in the East Branch Brandywine Creek basin to indicate that the unnamed tributaries with mouths within East Brandywine and Uwchlan Townships are included in the HQ-TSF designation.

The Board proposes to correct the spelling of Stoney Creek. It currently appears as Stony Creek.

The Brandywine Creek basin is proposed to be reformatted to incorporate several named tributaries including Craigs Mill Run, Wilson Run and Beaver Creek.

§ 93.9j. *Drainage List J*

Additional language is proposed to be added to the zone description for Roaring Brook as a clarification to indicate that the downstream limit of the special protection portion of the basin does not include the Elmhurst Reservoir.

§ 93.9k. *Drainage List K*

Newport Creek was inadvertently omitted in the final-form rulemaking published at 9 Pa.B. 3051 (September 8, 1979), which reformatted a portion of this section. The Board is proposing to correct this omission by adding Newport Creek as a named tributary to the Susquehanna River.

§ 93.9l. *Drainage List L*

The Board proposes to reformat this entire drainage list to eliminate the confusion associated with named tributaries in the West Branch Susquehanna River basin that are included under current listings of unnamed tributaries, correct a number of misspelled streams and delete named tributaries that are, in fact, unnamed tributaries according to the GNIS database.

Proposed amendments to this section reflect the current NHD flowline for the headwaters of the Marsh Creek basin. The headwaters of the Marsh Creek basin originate from the confluence of Charleston Creek and Morris Branch, of which Kelsey Creek is a tributary. Chapter 93 currently lists Charleston Creek and Kelsey Creek as tributaries to Marsh Creek.

Corrections are proposed to the headwaters of Logan Branch within Bald Eagle Creek basin. Historically, UNT 23007 was considered to be a tributary to the Logan Branch (Stream Code 22997) and is currently listed this way. However, according to the NHD flowline, the headwaters of the Logan Branch is stream code 23007 and a portion of stream code 22997 from the source to confluence with 23007 is depicted as the unnamed tributary to Logan Branch. Due to the fact that the remaining portion of 22997 is still considered to be Logan Branch, UNT 23007 is being replaced with the following entry format: Tributary at X;Y. This format should eliminate any confusion associated with using the five-digit stream code.

§ 93.9m. *Drainage List M*

Designated uses for the lower portions of Bowersox Run and Erb Run are currently missing from this section. Presently, Chapter 93 only lists designated use information for each stream from its source to Federal Aid Secondary Highway (FAS) 690. Bowersox Run and Erb Run are not currently recognized by GNIS as the official names of these tributaries; therefore, the names are proposed to be amended as UNT 17823 (locally known as Bowersox Run) and UNT 17821 (locally known as Erb Run). These streams were included in Comprehensive Water Quality Management Program Area 6. DER published a proposed rulemaking to water quality criteria at 8 Pa.B. 511 (March 4, 1978). According to the summary of public comments received by DER dated December 5, 1978, numerous recommendations were received to designate specific waters used for public water supply as either EV or HQ waters. The headwaters of Bowersox Run and Erb Run were recommended for upgrade to EV. DER did not agree with the EV recommendation, but it did agree that the water supply segments of those waters deserved

an HQ designation. Bowersox Run and Erb Run, which did not appear as named tributaries in the proposed rulemaking published at 8 Pa.B. 511, were included as named tributaries to Middle Creek in the proposed rulemaking published at 8 Pa.B. 3665 (December 23, 1978). However, only the upper HQ portions of the basin were included. The lower portions of the basins from FAS 690 to the mouths were inadvertently omitted. This omission was carried over into the final-form rulemaking published at 9 Pa.B. 3051. At the time of the proposed rulemaking published at 8 Pa.B. 511, these streams were considered to be unnamed tributaries to Middle Creek and therefore carried a Cold Water Fishes (CWF) designated use. The appropriate designated use for the lower portions of these two streams is currently CWF, MF. The proposed amendments will add entries for both streams for the lower segments to their mouths. The zone descriptions for the upper portions are also being updated for clarification purposes by replacing FAS 690 with T3008 (Paxtonville Road).

§ 93.9n. *Drainage List N*

The West Branch Juniata River basin is proposed to be reformatted to eliminate the confusion associated with named tributaries to the Raystown Branch of the Juniata River that are included under current listings of unnamed tributaries.

§ 93.9o. *Drainage List O*

An omission that occurred in the final-form rulemaking published at 9 Pa.B. 3051 is proposed to be corrected. Trout Run originates in Perry County, flows through a small portion of western Cumberland County and eventually enters the Conodoguinet Creek in Franklin County. The proposed rulemaking published at 8 Pa.B. 511 listed the entire Trout Run basin as a conservation area. It also listed the Trout Run basin from the source to the water supply dam as a wilderness trout stream. The final-form rulemaking published at 9 Pa.B. 3051 designated the Trout Run basin from the source to the water supply dam as EV. The portion of Trout Run basin which lies downstream of the dam should have been designated as HQ, but it was inadvertently omitted from Chapter 93 and has continued to be missing.

During the previous triennial review, the Board deleted DO₄ from the water quality standards. This standard applied to HQ-CWF streams. Since the criteria for HQ streams is based on the maintenance of existing water quality, the dissolved oxygen (DO) criterion for HQ-CWF streams was in contradiction to the expectation that existing quality will be protected and maintained for all HQ streams. Chapter 93 no longer contains a DO₄ criterion. However, this section contains one exception to the criteria that references DO₄, which is the Yellow Breeches Creek, main stem from LR 21012 to Mouth. The DO exception for the lower portion of the Yellow Breeches has appeared since at least 1968 to protect the world-renowned trout fishery that exists in this stream. The reference to DO₄ is proposed to be deleted and replaced with equivalent language (DO = 7.0 mg/L, June 1 to Sept. 30). Since the DO₁ standard was also updated during the previous triennial review to a value more protective than 7.0 mg/L during October 1 to May 31, the more protective standard of DO₁ should be in place during that time period. Therefore, DO = 7.0 mg/L will only apply during the time period stipulated to ensure the maximum level of protection.

Bow Creek and Boyds Run are proposed to be added as named tributaries. Bow Creek is a tributary to Swatara Creek. Boyds Run is a tributary to the Susquehanna River.

Corrections are proposed to the headwaters of Muddy Creek to be consistent with the NHD flowline. UNT 07784 is now the main stem of Muddy Creek and designated WWF. It was previously recognized by the Department as a tributary to Muddy Creek. The headwaters of Muddy Creek are now considered to be an unnamed tributary to Muddy Creek and designated TSF. No changes are proposed to the designated uses of these streams as a result of these corrections. The stream segment protected for WWF will continue to be protected at that level, and the stream segment protected for TSF will continue to be protected for TSF.

Several misplaced stream entries in the Pequea Creek basin are proposed to be relocated. These unnamed tributaries were referred to by RMI and were added incorrectly into the drainage list. RMI references are proposed to be deleted from the entries and replaced with UNT 07451 and UNT 07452 and moved to their proper locations within the drainage list.

A clarification is proposed to the zone description for the headwaters of Black Run to ensure that it is consistent with the NHD flowline and the actual fluvial geomorphology while accurately portraying what was in the Cooks Creek final-form rulemaking published at 21 Pa.B. 5511 (November 30, 1991). DER's 1989 special protection report indicated "segments of Black Run flowing through Nottingham Park (basin upstream of confluence with UNT 07007" should be redesignated EV. The mouth of UNT 07006 was originally described as being downstream of the mouth of 07007 through reference to river mile (RM). At the time of the Cooks Creek final-form rulemaking published at 21 Pa.B. 5511, the stream directory confirmed that 07006 was downstream from 07007. Since the Cooks Creek final-form rulemaking published at 21 Pa.B. 5511, road work in the area caused movement of the mouth of the stream and the NHD flowline now depicts 07006 as entering Black Run upstream of 07007 at RM 2.50. The proposed correction will replace RM 2.50 with UNT 07006.

Reynolds Run was designated as a conservation area in 1973 and thus received a designated use of HQ-CWF in the final-form rulemaking published at 9 Pa.B. 3051. Several streams in the area including Reynolds Run were subsequently re-evaluated in 1989. An October 1989 stream report produced by DER showed that the streams were largely affected by agriculture and were actually supporting warm-water biota. The report recommended that McCreary Run and Reynolds Run be redesignated as HQ-TSF. The streams were approved for redesignation in the Cooks Creek final-form rulemaking published at 21 Pa.B. 5511. At that time, Chapter 93 was amended to reflect the redesignation to HQ-TSF; however, a duplicate entry for Reynolds Run was also inadvertently introduced at that time. The duplicate entry was deleted, but the designation for Reynolds Run was changed back to HQ-CWF in the final-form rulemaking published at 27 Pa.B. 3050. Since there are no known data or reports to suggest that Reynolds Run was achieving a use of HQ-CWF at that time, it is being viewed as an error. The Board is proposing to restore the intended designation of HQ-TSF for Reynolds Run.

§ 93.9p. *Drainage List P*

The entire drainage list is proposed to be reformatted to eliminate the confusion associated with named tribu-

taries in the Allegheny River basin that are included under current listings of unnamed tributaries and to delete named tributaries that are, in fact, unnamed tributaries according to the GNIS database.

The proposed correction to Dingman Run will delete the zone description Main Stem and restore it to Basin. Dingman Run was a placeholder in the French Creek final-form rulemaking published at 28 Pa.B. 4510 (September 5, 1998) to amend the entry above it, which is Mill Creek. During the final-form rulemaking process, Dingman Run erroneously picked up Main Stem as the zone description.

Duplicate entries for Tunungwant Creek and McCrea Run are proposed to be deleted.

§ 93.9q. *Drainage List Q*

The entire drainage list is proposed to be reformatted to eliminate the confusion associated with named tributaries in the Allegheny River basin that are included under current listings of unnamed tributaries and to delete named tributaries that are, in fact, unnamed tributaries according to the GNIS database.

The stream listing is proposed to be amended to include the correct name for Minister Creek. The stream is currently and incorrectly referred to as Minister Run.

§ 93.9r. *Drainage List R*

The entire drainage list is proposed to be reformatted to eliminate the confusion associated with named tributaries in the Clarion River basin that are included under current listings of unnamed tributaries and to delete named tributaries that are, in fact, unnamed tributaries according to the GNIS database.

An erroneous entry for Mill Run is proposed to be deleted and the stream listing is proposed to be amended to include the correct name for Cathers Run. The stream is currently and incorrectly referred to as Cather Run.

According to the GNIS database, Lost Run is not registered as an official name for stream code 50397. Lost Run will be replaced with UNT 50397.

§ 93.9s. *Drainage List S*

The stream listing is proposed to be amended to include several named tributaries to Mahoning Creek including Jackson Run, Hamilton Run, Cave Run and Graffius Run. These four streams were previously unnamed tributaries. Wiskey Creek, which is a named tributary to the Allegheny River, is proposed to be added to the drainage list.

The proposed correction to the Cowanshannock Creek basin will delete "Unnamed" from the entry "Unnamed Tributaries to Cowanshannock Creek; Basins, Huskins Run to Mouth" to incorporate several named tributaries that currently do not appear in the drainage list (Spru Run, Mill Run and Long Run.)

§ 93.9t. *Drainage List T*

The stream listing is proposed to be amended to include several named tributaries that currently do not appear, including Hoffman Run, Kaufman Run and Hillside Run.

According to the GNIS database and the NHD flowline, Trout Run is not a direct tributary to the Little Conemaugh River. It is a tributary to Kane Run, which is a tributary to the Little Conemaugh. The proposed correction will delete Trout Run and add Kane Run.

§ 93.9v. *Drainage List V*

The stream listing is proposed to be amended to include several named tributaries that currently do not appear, including Miller Run, Rice Run, Parsons Run and Lost Run.

§ 93.9w. *Drainage List W*

The misspelling of Shenango River in the fourth entry for unnamed tributaries to the Shenango River is proposed to be corrected.

§ 93.9x. *Drainage List X*

The stream listing is proposed to be amended to include the Bac_2 Bacteria criterion, which, until this proposed rulemaking has been located in § 93.7, Table 3. There has been confusion that the Bac_2 criterion should be applied Statewide since this criterion was in Table 3 and the Critical Use is identified as PWS, which is listed as a Statewide water use in § 93.4, Table 2. The Department's investigation has shown that the current-day Bac_2 was developed and implemented as a site-specific criterion (originally identified as f_2 in the SWB criteria). Dating back to the adoption of Article 301—Water Quality Criteria by the SWB in 1967, this criterion had been applied as an exception to select waters where water contact sports (WCS—3.3) was deleted. Originally, this coliform-based criterion applied to specific zones of the Delaware Estuary or several tributaries, and to portions of Erie Harbor and Presque Isle Bay. As a result of rulemakings through 1979, the references to Bac_2 in the lower Delaware and these tributaries were replaced by specific criteria adopted by the Delaware River Basin Commission (DRBC). Therefore, since 1979 Bac_2 has exclusively only applied to the Lake Erie (Outer Erie Harbor and Presque Isle Bay) waters in the Harbor area and central channel dredged and maintained by United States Army Corps of Engineers. These proposed amendments should provide that clarification.

§ 93.9z. *Drainage List Z*

The stream listing is proposed to be amended to include Thompson Run, which is a named tributary to Wills Creek that is presently not listed.

Exceptions for fishable/swimmable waters

Part of the triennial review requires that states re-examine water body segments that do not meet the fishable or swimmable uses specified in section 101(a)(2) of the Federal Clean Water Act (33 U.S.C.A. § 1251(a)(2)). The Department evaluated the two Pennsylvania water bodies where the uses are not currently met: 1) the Harbor Basin and entrance channel to Outer Erie Harbor/Presque Isle Bay (§ 93.9x); and 2) several zones in the Delaware Estuary (§§ 93.9e and 93.9g (relating to Drainage List E; and Drainage List G)).

The swimmable use designation was deleted from the Harbor Basin and entrance channel demarcated by United States Coast Guard buoys and channel markers on Outer Erie Harbor/Presque Isle Bay because pleasure boating and commercial shipping traffic pose a serious safety hazard in this area. This decision was further supported by a Use Attainability Analysis (UAA) study conducted by DER in 1985. Because the same conditions and hazards exist today, no change is proposed to the designated use for Outer Erie Harbor/Presque Isle Bay.

In April 1989, DER cooperated with the DRBC, the EPA and other DRBC signatory states on a comprehensive UAA study in the lower Delaware River and Delaware Estuary. This study resulted in appropriate recom-

mendations regarding the swimmable use, which the DRBC included in its regulations for water use classifications and water quality criteria for portions of the tidal Delaware River in May 1991. The appropriate DRBC standards were referenced in §§ 93.9e and 93.9g in 1994. The WC use remains excluded from the designated uses for RMs 108.4 to 81.8 because of continuing significant impacts from combined sewer overflows, and hazards associated with commercial shipping and navigation.

In addition, limited uses for Zones 3 and 4, and upper Zone 5 of the Delaware Estuary basin were also incorporated into §§ 93.9e and 93.9g, which also date back to the original Article 301—Water Quality Criteria that were added to the SWB's rules and regulations in 1967. These are described in §§ 93.9e and 93.9g as WWF (Maintenance Only) and MF (Passage Only) for tidal portions of the basin, from RM 108.4 to the PA-DE State Border. The current designated uses within these Zones do not include propagation and thus refer to the DRBC's standards which were developed to protect fish maintenance and passage only.

Recent data and observations, however, suggest recovery is occurring in propagation for some species in portions of these Zones. Therefore, the DRBC initiated an evaluation of available data for resident and anadromous fishes collected since 2000 in an attempt to quantify spawning and early life stages, and the extent of successful reproduction for estuarine species.

Although this review continues, the DRBC found that for all nine fish species evaluated (Atlantic Sturgeon, American Shad, Striped Bass, White Perch, Bay Anchovy, Atlantic Silverside, Alewife, Blueback Herring, and Atlantic Menhaden) successful reproduction was clearly demonstrated in one or more of the compromised estuary zones. In addition, moderate to strong reproduction was demonstrated for multiple species in each zone indicating substantial recovery in the propagation use for Zones 3 and 4, and upper Zone 5. Weak and inconsistent spawning by Atlantic Sturgeon, and limited spatial recovery in spawning and rearing by American Shad and Striped Bass, suggested that full restoration of the propagation use is not supported by the currently available data for these species. It should be recognized that the demonstrated recovery in the propagation use for these Zones has occurred under the long-term implementation of the current criteria.

The Department continues to work in cooperation with the DRBC, the EPA and other DRBC signatory states to determine the appropriate criteria that should apply in the lower Delaware River and Delaware Estuary. The parties continue to work to prepare a resolution describing the Commission's next steps for improving the recovery taking place in the lower Delaware River and Delaware Estuary. The parties remain committed to enhancing the lower Delaware River and Delaware Estuary. Toward that end, the Department is requesting interested parties to submit any data on fish species recovery in the lower Delaware River and Delaware Estuary.

F. Consideration for Next Water Quality Standards Review

The Department is seeking comments on whether the definition of "outstanding National, State, regional or local resource water" in § 93.1 (relating to definitions) should be amended in the next water quality standards review to clarify how conservation easements can be

considered in an evaluation for a stream redesignation. The Department is also seeking comment on the following suggested definition of “conservation easements” to describe which types of easements may be considered in the stream evaluation. Based on the comments received during this review, the Department may recommend that the Board clarify the use of conservation easements in the water quality program in a future proposed rulemaking.

The existing regulations allow a stream that is protected for the HQ use to be redesignated to EV use if it is an outstanding National, State, regional or local resource water. High quality waters, along with related terms, is defined in § 93.1. Conservation easements protecting waters being evaluated for classification as EV waters are often submitted with petitions for stream redesignations, since many are designed to protect water quality in perpetuity. In many conservation easement documents, resource management plans are included that describe water quality protections. The Department is seeking comments on suggested language to guide decisions concerning which types of conservation easements are appropriate for use in this stream redesignation context. Suggested language that the Department may consider recommending to the Board in a future proposed rulemaking is as follows (language added to the existing definition is bold):

Outstanding National, State, regional or local resource water—A surface water for which a National or State government agency has adopted water quality protective measures in a resource management plan, or regional or local governments have adopted coordinated water quality protective measures along a watershed corridor. **The term includes a surface water protected by one or more conservation easements situated along a watershed corridor, in a manner that provides protection to significant reaches of the corridor.**

Conservation easements—Easements held in perpetuity, where a governmental unit with taxation powers, a national government agency, or a state government agency is the holder, long-term steward, or responsible beneficiary related to repair and perpetual maintenance of the easement. **Such easements must be recorded, provide for the maintenance and enhancement of water quality through water quality protective measures and cannot be revised, rescinded, or amended by any party.**

If commentators recommend alternative language, they are encouraged to provide justification.

G. *Benefits, Costs and Compliance*

Benefits

Overall, the Commonwealth, its citizens and natural resources will benefit from this proposed rulemaking because it provides the appropriate level of protection to preserve the integrity of existing and designated uses of surface waters in this Commonwealth. Protecting water quality provides: economic value to present and future generations in the form of a clean water supply for human consumption, wildlife, irrigation and industrial use; recreational opportunities such as fishing (also for consumption), WC and boating; and aquatic life protection. It is important to realize these benefits and to ensure opportunities and activities continue in a manner that is environmentally, socially and economically sound. Maintenance of water quality ensures its future availability for all uses.

Compliance costs

This proposed rulemaking may impose additional compliance costs on the regulated community. This proposed rulemaking is necessary to improve total pollution control. The expenditures necessary to meet new compliance requirements may exceed that which is required under existing regulations.

The proposed amendments will be implemented through the Department’s permit and approval actions. Persons with an existing discharge or proposing to add a new discharge point to a stream could be adversely affected if they need to provide a higher level of treatment or BMPs to meet any new standard established by this proposed rulemaking. For example, increased costs may take the form of higher engineering, construction or operating cost for point source discharges. Treatment costs and BMPs are site-specific and depend upon the size of the discharge in relation to the size of the stream and many other factors. It is therefore not possible to precisely predict the actual change in costs. Economic impacts would primarily involve the potential for higher treatment costs for new or expanded discharges to streams to meet any new water quality standards requirements. The initial costs resulting from the installation of technologically advanced wastewater treatment processes and BMPs may be offset by potential savings from and increased value of improved water quality through more cost-effective and efficient treatment over time.

Compliance assistance plan

This proposed rulemaking has been developed as part of an established program that has been implemented by the Department since the early 1980s. This proposed rulemaking is consistent with and based on existing Department regulations. The proposed amendments extend appropriate protections to all waterbodies of the Commonwealth and are consistent with antidegradation requirements established by the Federal Clean Water Act and The Clean Streams Law. All surface waters in this Commonwealth are afforded a minimum level of protection through compliance with the water quality standards, which prevent pollution and protect existing water uses.

The proposed amendments will be implemented through the Department’s permit and approval actions. For example, the NPDES permitting program bases effluent limitations on the uses of the stream, and the water quality criteria developed to maintain those uses. These effluent limits are established to assure water quality is protected and maintained.

Paperwork requirements

This proposed rulemaking should not have new direct paperwork impact on the Commonwealth, local governments, political subdivisions or the private sector. This proposed rulemaking is based on existing Department regulations and mirror the existing use protection that is already in place for these streams.

H. *Pollution Prevention*

The Federal Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally-friendly materials, more efficient use of raw materials and the

incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

Water quality standards are a major pollution prevention tool because they protect water quality and designated and existing uses. The proposed amendments will be implemented through the Department's permit and approval actions. For example, the NPDES bases effluent limitations on the designated use of the stream and the water quality criteria necessary to achieve designated and existing uses.

I. *Sunset Review*

The Board is not proposing to establish a sunset date for these regulations because they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

J. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 6, 2017, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey 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 in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) 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.

K. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding this proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by December 29, 2017.

Comments may be submitted to the Board online, by e-mail, by mail or express mail as follows.

Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgment of comments submitted online or by e-mail is not received by the sender within 2 working

days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

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

L. *Public Hearings*

The Board will hold three public hearings for the purpose of accepting comments on this proposed rulemaking. The hearings will be held at 2 p.m. on the following dates:

December 8, 2017 Department of Environmental Protection
South Central Regional Office
Susquehanna Conference Room
909 Elmerton Avenue
Harrisburg, PA 17110

December 12, 2017 Department of Environmental Protection
Northeast Regional Office
2nd Floor Conference Room
2 East Main Street
Norristown, PA 19401

December 14, 2017 Department of Environmental Protection
Southwest Regional Office
Waterfront Conference Rooms A and B
400 Waterfront Drive
Pittsburgh, PA 15222

Persons wishing to present testimony at a hearing are requested to contact the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

PATRICK McDONNELL,
Chairperson

(Editor's Note: See 47 Pa.B. 6703 (October 21, 2017) for a proposed statement of policy relating to this proposed rulemaking.)

Fiscal Note: 7-534. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 93. WATER QUALITY STANDARDS

WATER QUALITY CRITERIA

§ 93.7. Specific water quality criteria.

(a) Table 3 displays specific water quality criteria and associated critical uses. The criteria associated with the Statewide water uses listed in § 93.4, Table 2 apply to all surface waters, unless a specific exception is indicated in §§ 93.9a—93.9z. These exceptions will be indicated on a stream-by-stream or segment-by-segment basis by the words “Add” or “Delete” followed by the appropriate symbols described elsewhere in this chapter. Other specific water quality criteria apply to surface waters as specified in §§ 93.9a—93.9z. All applicable criteria shall be applied in accordance with this chapter, Chapter 96 (relating to water quality standards implementation) and other applicable State and Federal laws and regulations.

TABLE 3

Parameter	Symbol	Criteria	Critical Use*
Alkalinity	Alk	Minimum 20 mg/l as CaCO ₃ , except where natural conditions are less. Where discharges are to waters with 20 mg/l or less alkalinity, the discharge should not further reduce the alkalinity of the receiving waters.	CWF, WWF, TSF, MF
Ammonia Nitrogen	Am	<p>[The maximum total ammonia nitrogen concentration (in mg/L) at all times shall be the numerical value given by: un-ionized ammonia nitrogen (NH₃-N) × (log⁻¹[pK_T-pH] + 1), where: un-ionized ammonia nitrogen</p> $= 0.12 \times f(T)/f(pH)$ $f(pH) = 1 + 10^{1.03(7.32-pH)}$ $f(T) = 1, T \geq 10^{\circ}C$ $f(T) = \frac{1 + 10^{(9.73-pH)}}{1 + 10^{(pK_T-pH)}}, T < 10^{\circ}C$ <p>and $pK_T = 0.090 + \left[\frac{2730}{(T+273.2)} \right]$, the dissociation constant for ammonia in water.</p> <p>The average total ammonia nitrogen concentration over any 30 consecutive days shall be less than or equal to the numerical value given by:</p> <p>un-ionized ammonia nitrogen (NH₃-N) × (log⁻¹[pK_T-pH] + 1), where:</p> <p>un-ionized ammonia nitrogen = 0.025 × f(T)/f(pH)</p> $f(pH) = 1, pH \geq 7.7$ $f(pH) = 10^{0.74(7.7-pH)}, pH < 7.7$ $f(T) = 1, T \geq 10^{\circ}C$ $f(T) = \frac{1 + 10^{(9.73-pH)}}{1 + 10^{(pK_T-pH)}}, T < 10^{\circ}C$ <p>The pH and temperature used to derive the appropriate ammonia criteria shall be determined by one of the following methods:</p> <ol style="list-style-type: none"> 1) Instream measurements, representative of median pH and temperature—July through September. 2) Estimates of median pH and temperature—July through September—based upon available data or values determined by the Department. For purposes of calculating effluent limitations based on this value the accepted design stream flow shall be the actual or estimated lowest 30-consecutive-day average flow that occurs once in 10 years.] 	

Parameter	Symbol	Criteria	Critical Use*
		<p>In freshwater, the concentration of total ammonia nitrogen (TAN) shall not exceed (more than once in three years on average), the concentration calculated (in milligrams of TAN per liter) by the following:</p> <p>1-hour average Criteria Maximum Concentration (CMC) acute criterion equation:</p> $CMC = \text{MIN} \left(\left(\frac{0.275}{1 + 10^{7.204 - \text{pH}}} + \frac{39.0}{1 + 10^{\text{pH} - 7.204}} \right), \left(0.7249 \times \left(\frac{0.0114}{1 + 10^{7.204 - \text{pH}}} + \frac{1.6181}{1 + 10^{\text{pH} - 7.204}} \right) \times (23.12 \times 10^{0.036 \times (20 - T)}) \right) \right)$ <p>30-day average Criteria Continuous Concentration (CCC) chronic criterion equation:</p> $CCC = 0.8876 \times \left(\frac{0.0278}{1 + 10^{7.688 - \text{pH}}} + \frac{1.1994}{1 + 10^{\text{pH} - 7.688}} \right) \times (2.126 \times 10^{0.028 \times (20 - \text{MAX}(T, 7))})$ <p>Chronic concentration is not to exceed 2.5 times the CCC as a 4-day average within 30 days (e.g. 2.5 × 1.9 mg TAN/L at pH 7 and 20°C or 4.8 mg TAN/L more than once in 3 years on average.</p> <p>The pH and temperature used to derive the appropriate ammonia criteria shall be determined by instream measurements or best estimates, representative of the median pH and temperature of the receiving stream for the applicable time period and design conditions.</p>	CWF, WWF, TSF, MF
Bacteria	Bac ₁	<p>[(Fecal coliforms/ 100 ml)] (<i>Escherichia coli</i>/100 ml)—During the swimming season (May 1 through September 30), the maximum [fecal coliform] <i>E. coli</i> level shall be a geometric mean of [200] 126 per 100 milliliters (ml) based on [a minimum of five] consecutive samples, each sample collected on different days during a 30-day period. No more than 10% of the total samples taken during a 30-day period may exceed [400] 410 per 100 ml.</p> <p>(Fecal coliforms/ 100 ml) For the remainder of the year, the maximum fecal coliform level shall be a geometric mean of 2,000 per 100 milliliters (ml) based on a minimum of five consecutive samples collected on different days during a 30-day period.</p>	WC
	[Bac ₂	<p>(Coliforms/100 ml)—Maximum of 5,000/100 ml as a monthly average value, no more than this number in more than 20 of the samples collected during a month, nor more than 20,000/100 ml in more than 5% of the samples.</p>	PWS]
Chloride	Ch	Maximum 250 mg/l.	PWS
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§ 93.8a. Toxic substances.

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(b) Water quality criteria for toxic substances shall be established as described under Chapter 16 (relating to water quality toxics management strategy—statement of policy). The Department will develop water quality criteria for toxic substances not listed in Chapter 93, Table 5 in accordance with § 93.8d (relating to development of site-specific water quality criteria) and Chapter 16. **[Appendix A, Table 1A in Chapter 16 lists] The Department will maintain a publicly available online table of site-specific human health and aquatic life criteria that have been recently developed or adopted by the Depart-**

ment based on approved methodologies and the best scientific information currently available. **[The] For any analytical procedures or detection limits that are not EPA approved, the approved analytical procedures and detection limits for these substances will also be listed in Chapter 16. Chapter 16, along with changes made to it, is hereby specifically incorporated by reference.**

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(j) The requirements for discharges to and antidegradation requirements for the Great Lakes System are as follows:

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(3) Statewide antidegradation requirements in this chapter and Chapter 96 (relating to water quality standards implementation) [**and in the Federal regulation in 40 CFR 131.32(a) (relating to Pennsylvania)**] as applicable, apply to all surface waters of the Great Lakes System.

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§ 93.8c. Human health and aquatic life criteria for toxic substances.

(a) Table 5 and [**Chapter 16, Appendix A, Table 1A (relating to site-specific water quality criteria for toxic substances)**] **the table of site-specific criteria maintained by the Department** list the aquatic life and human health criteria for toxic substances which the Department uses in development of effluent limitations in NPDES Permits and for other purposes. The human health criteria, which include probable modes of exposure (such as, but not limited to ingestion from drinking water and fish consumption, inhalation and dermal absorption), are further defined as to the specific effect (that is, cancer or threshold health effects). For those aquatic life criteria which are [**hardness related and**] **a function of local water quality conditions and are specified as a formula, such as several of the heavy metals, the [Department will use the specific hardness of the receiving stream after mixing with the waste discharge in calculating criteria on a case-by-case basis] hardness and pH values used to derive the**

appropriate water quality criteria shall be determined by instream measurements or best estimates, representative of the median concentrations or conditions of the receiving stream for the applicable time period and design conditions. The priority pollutants are a set of specific chemical pollutants regulated by the EPA. The priority pollutant numbers (PP NO) used by the EPA to identify priority pollutants are included in Table 5 for reference purposes. The toxics without a PP NO are nonpriority pollutants or State-derived criteria.

(b) Some of these criteria may be superseded for the Delaware Estuary, Ohio River Basin, Lake Erie Basin [,] and Genesee River Basin under interstate and international compact agreements with the Delaware River Basin Commission, Ohio River Valley Sanitation Commission and International Joint Commission, respectively. [**The criteria in Table 5 do not apply to the Great Lakes System.**] Water quality criteria for the Great Lakes System are contained in § 93.8e (relating to special criteria for the Great Lakes System) and Table 6 [**(relating to Great Lakes Aquatic Life and Human Health Criteria)**]. **Criteria in Table 5 may apply to the Great Lakes System for those substances not listed in Table 6.** Criteria may be developed for the Great Lakes System for substances other than those listed in [§ 93.8e] **Tables 5 and 6, under the methodologies in § 16.61 (relating to special provisions for the Great Lakes [system] System).**

**TABLE 5
WATER QUALITY CRITERIA FOR TOXIC SUBSTANCES**

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria		Criteria Maximum Concentration (ug/L)	Human Health Criteria (ug/L)
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)		
1M	ANTIMONY	07440360	220	1100	5.6 †	H
2M	ARSENIC	07440382	150 (As3+)	340 (As3+)	10	H
3M	BERYLLIUM	07440417	N/A	N/A	N/A	-
4M	CADMIUM	07440439	*[1.101672-(ln[H])×0.041838]]× Exp(0.7409×ln[H]-4.719) (ex: @H=100, CCC=0.25)	*[1.136672-(ln[H])×0.041838]]× Exp(1.0166×ln[H]-3.924) (ex: @H=100, CMC=2.0)	N/A	-
5M	CHROMIUM III	16065831	*0.860×Exp(0.819×ln[H]+0.6848) (ex: @H=100, CCC=74)	*0.316×Exp(0.819×ln[H]+3.7256) (ex: @H=100, CMC=570)	N/A	-
5M	CHROMIUM VI	18540299	[*10] *11	*16	N/A	-
6M	COPPER	07440508	*0.960×Exp(0.8545×ln[H]-1.702) (ex: @H=100, CCC=9.0)	*0.960×Exp(0.9422×ln[H]-1.700) (ex: @H=100, CMC=13)	N/A	-
7M	LEAD	07439921	*[1.46203-(ln[H])×0.145712]]× Exp(1.273×ln[H]-4.705) (ex: @H=100, CCC=2.5)	*[1.46203-(ln[H])×0.145712]]× Exp(1.273×ln[H]-1.460) (ex: @H=100, CMC=65)	N/A	-
8M	MERCURY	07439976	*0.77 (Hg2+)	*1.4 (Hg2+)	0.05	H
9M	NICKEL	07440020	*0.997×Exp(0.846×ln[H]+0.0584) (ex: @H=100, CCC=52)	*0.998×Exp(0.846×ln[H]+2.255) (ex: @H=100, CMC=470)	[610] 600 †	H
10M	SELENIUM	07782492	*4.6	N/A	N/A	-
11M	SILVER	07440224	N/A	*0.850×Exp(1.72×ln[H]-6.590) (ex: @H=100, CMC=3.2)	N/A	-
12M	THALLIUM	07440280	13	65	0.24 †	H
13M	ZINC	07440666	*0.986×Exp(0.8473×ln[H]+0.884) (ex: @H=100, CCC=120)	*0.978×Exp(0.8473×ln[H]+0.884) (ex: @H=100, CMC=120)	N/A	-
14M	CYANIDE, FREE	00057125	5.2	22	[140] 4.0	H
1A	2-CHLOROPHENOL	00095578	110	560	[81] 30	H
2A	2,4-DICHLORO[-]PHENOL	00120832	340	1700	[77] 10	H
3A	2,4-DIMETHYL[-]PHENOL	00105679	130	660	[380] 100	H
4A	4,6-DINITRO-o-CRESOL (2 METHYL-4,6-DINITROPHENOL)	00534521	16	80	[13] 2.0	H
5A	2,4-DINITRO[-]PHENOL	00051285	130	660	[69] 10	H
E	DINITROPHENOLS	25550587	N/A	N/A	10	H
6A	2-NITROPHENOL	00088755	1600	8000	N/A	-

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria		Human Health Criteria (ug/L)
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)	
7A	4-NITROPHENOL	00100027	470	2300	N/A
8A	P-CHLORO-m-CRESOL (3 METHYL-4-CHLOROPHENOL)	00059507	30	160	[N/A] 500
9A	PENTACHLORO[-]PHENOL	00087865	Exp(1.005×[pH]-5.134) @pH= 6.5 7.8 9.0	Exp(1.005×[pH]-4.869) @pH= 6.5 7.8 9.0	[0.27] 0.03
10A	PHENOL	00108952	N/A	N/A	[10400] 4000
E	2,4,5-TRICHLOROPHENOL	00095954	N/A	N/A	300
11A	2,4,6-TRICHLOROPHENOL	00088062	91	460	[1.4] 1.5
1V	ACROLEIN	00107028	3.0	3.0	[6.0] 3.0
2V	ACRYLONITRILE	00107131	130	650	[0.051] 0.06
3V	BENZENE	00071432	130	640	[1.2] 0.58
5V	BROMOFORM	00075252	370	1800	[4.3] 7.0
6V	CARBON TETRACHLORIDE	00056235	560	2800	[0.23] 0.4
7V	CHLORO[-]BENZENE	00108907	240	1200	[130] 100
8V	CHLORODIBRO[-]MO[-]METHANE	00124481	N/A	N/A	[0.40] 0.8
9V	CHLOROETHANE	00075003	N/A	N/A	N/A
10V	2-CHLOROETHYL VINYL ETHER	00110758	3500	18000	N/A
11V	CHLOROFORM	00067663	390	1900	[5.7] 6.5
12V	DICHLOROBROMOMETHANE	00075274	N/A	N/A	[0.55] .95
14V	1,1-DICHLORO[-]ETHANE	00075343	N/A	N/A	N/A
15V	1,2-DICHLORO[-]ETHANE	00107062	3100	15000	[0.38] 9.9
16V	1,1-DICHLORO[-]ETHYLENE	00075354	1500	7500	[33.0] 30
17V	1,2-DICHLORO[-]PROPANE	00078875	2200	11000	[N/A] 0.90
18V	1,3-DICHLORO[-]PROPYLENE	00542756	61	310	[0.34] 0.27
19V	ETHYLBENZENE	00100414	580	2900	[530] 68
20V	METHYL BROMIDE	00074839	110	550	[47] 100
21V	METHYL CHLORIDE	0074873	5500	28000	N/A
22V	METHYLENE CHLORIDE	00075092	2400	12000	[4.6] 20
23V	1,1,2,2-TETRA[-]CHLOROETHANE	00079345	210	1000	[0.17] 0.2

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria		Human Health Criteria (ug/L)
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)	
24V	TETRACHLORO[-]ETHYLENE	00127184	140	700	[0.69] 10 CRL
25V	TOLUENE	00108883	330	1700	[1300] 57 H
26V	[1,2-trans-DICHLORO-ETHYLENE] trans-1,2-DICHLOROETHYLENE	00156605	1400	6800	[140] 100 H
[-] D	1,2 cis-DICHLORO[-]ETHYLENE	00156592	N/A	N/A	[12] 11 H
27V	1,1,1-TRICHLORO[-]ETHANE	00071556	610	3000	[N/A] 10000 [-] H
28V	1,1,2-TRICHLORO[-]ETHANE	00079005	680	3400	[0.59] 0.55 CRL
29V	TRICHLORO[-]ETHYLENE	00079016	450	2300	[2.5] 0.6 CRL
31V	VINYL CHLORIDE	00075014	N/A	N/A	[0.025] 0.02 CRL
1B	ACENAPHTHENE	00083329	17	83	[670] 70 H
2B	ACENAPHTHYLENE	00208968	N/A	N/A	N/A -
3B	ANTHRACENE	00120127	N/A	N/A	[8300] 300 H
4B	BENZIDINE	00092875	59	300	[0.000086] 0.0001 CRL
5B	BENZO(a)-ANTHRACENE	00056553	0.1	0.5	[0.0038] 0.001 CRL
6B	BENZO(a)PYRENE	00050328	N/A	N/A	[0.0038] 0.0001 CRL
7B	3,4-BENZO-FLUORANTHENE (BENZO(b)FLUORANTHENE)	00205992	N/A	N/A	[0.0038] 0.001 CRL
8B	BENZO(ghi)-PERYLENE	00191242	N/A	N/A	N/A -
9B	BENZO(k)-FLUORANTHENE	00207089	N/A	N/A	[0.0038] 0.01 CRL
E	BIS(CHLOROMETHYL)ETHER	00542881	N/A	N/A	0.0002 CRL
10B	BIS(2-CHLORO[-] ETHOXY)METHANE	00111911	N/A	N/A	N/A -
11B	BIS(2-CHLORO[-]ETHYL)ETHER	00111444	6000	30000	0.030 CRL
12B	[BIS(2-CHLORO- ISOPROPYL)ETHER] BIS(2-CHLORO-1-METHYLETHYL) ETHER	00108601	N/A	N/A	[1400] 200 H
13B	BIS(2-ETHYL[-] HEXYL)PHTHALATE	00117817	910	4500	[1.2] 0.32 CRL
14B	4-BROMOPHENYL PHENYL ETHER	00101553	54	270	N/A -

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria			Human Health Criteria (ug/L)
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)		
15B	BUTYLBENZYL PHTHALATE	00085687	35	140	[150] 0.1	H
16B	2-CHLORO[-]NAPHTHALENE	00091587	N/A	N/A	[1000] 800	H
17B	4-CHLORO[-]PHENYL PHENYL ETHER	07005723	N/A	N/A	N/A	-
18B	CHRYSENE	00218019	N/A	N/A	[0.0038] 0.12	CRL
19B	DIBENZO(a,h)[-]ANTHRACENE	00053703	N/A	N/A	[0.0038] 0.0001	CRL
20B	1,2-DICHLORO[-]BENZENE	00095501	160	820	[420 for dichloro-benzene] 1000	H
21B	1,3-DICHLORO[-]BENZENE	00541731	69	350	[See 20B] 7.0	H
22B	1,4-DICHLORO[-]BENZENE	00106467	150	730	[See 20B] 300	H
23B	3,3-DICHLORO[-]BENZIDINE	00091941	N/A	N/A	[0.021] 0.05	CRL
24B	DIETHYL PHTHALATE	00084662	800	4000	[17000] 600	H
25B	DIMETHYL PHTHALATE	00131113	500	2500	[270000] 2000	H
26B	DL-N-BUTYL PHTHALATE	00084742	21	110	[2000] 20	H
27B	2,4-DINITRO[-]TOLUENE	00121142	320	1600	0.05 for dinitro-toluene	CRL
28B	2,6-DINITRO[-]TOLUENE	00606202	200	990	See 27B	CRL
29B	DI-N-OCTYL PHTHALATE	00117840	N/A	N/A	N/A	-
30B	1,2-DIPHENYL[-]HYDRAZINE	00122667	3	15	0.036	CRL
31B	FLUORANTHENE	00206440	40	200	[130] 20	H
32B	FLUORENE	00086737	N/A	N/A	[1100] 50	H
33B	HEXACHLORO[-]BENZENE	00118741	N/A	N/A	[0.00028] 0.00008	CRL
34B	HEXACHLORO[-]BUTADIENE	00087683	2	10	[0.44] 0.01	CRL
35B	HEXACHLORO[-]CYCLOPENTADIENE	00077474	1	5	[40] 4.0	H
36B	HEXACHLORO[-]ETHANE	00067721	12	60	[1.4] 0.1	CRL

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria		Human Health Criteria (ug/L)	
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)		
37B	INDENO(1,2,3-cd)PYRENE	00193395	N/A	N/A	[0.0038] 0.001	CRL
38B	ISOPHORONE	00078591	2100	10000	[35] 34	H
39B	NAPHTHALENE	00091203	43	140	N/A	-
40B	NITROBENZENE	00098953	810	4000	[17] 10	H
41B	N-NITROSO[-]DIMETHYLAMINE	00062759	3400	17000	[0.00069] 0.0007 †	CRL
42B	N-NITROSODI-N-PROPYLAMINE	00621647	N/A	N/A	0.005 †	CRL
43B	N-NITROSO[-]DIPHENYLAMINE	00086306	59	300	3.3 †	CRL
E	PENTACHLOROBENZENE	00608935	N/A	N/A	0.1	H
44B	PHENANTHRENE	00085018	1	5	N/A	-
45B	PYRENE	00129000	N/A	N/A	[830] 20	H
E	1,2,4,5-TETRACHLOROBENZENE	00095943	N/A	N/A	0.03	H
46B	1,2,4-TRICHLORO[-]BENZENE	00120821	26	130	[35] 0.07	H
1P	ALDRIN	00309002	0.1	3	[0.000049] 0.0000008	CRL
2P	alpha-[BHC] HEXACHLOROCYCLOHEXANE (HCH)	00319846	N/A	N/A	[0.0026] 0.0004	CRL
3P	beta-[BHC] HEXACHLOROCYCLOHEXANE (HCH)	00319857	N/A	N/A	[0.0091] 0.008	CRL
4P	gamma-[BHC] HEXACHLOROCYCLOHEXANE (HCH) (LINDANE)	00058899	N/A	0.95	[0.098] 4.2	H
5P	delta-BHC	00319868	N/A	N/A	N/A	-
6P	CHLORDANE	00057749	0.0043	2.4	[0.00080] 0.0003	CRL
E	CHLOROPHENOXY HERBICIDE (2,4-D)	00094757	N/A	N/A	1000	H
E	CHLOROPHENOXY HERBICIDE (2,4,5-TP)	00093721	N/A	N/A	100	H
7P	4,4-DDT	00050293	0.001	1.1	[0.00022] 0.00003	CRL
8P	4,4-DDE	00072559	0.001	1.1	[0.00022] 0.00002	CRL

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria		Human Health Criteria (ug/L)
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)	
9P	4,4-DDD	00072548	0.001	1.1	[0.00031] 0.0001 CRL
10P	DIELDRIN	00060571	0.056	0.24	[0.000052] 0.000001 CRL
11P	alpha-ENDOSUL[-]FAN	00959988	0.056	0.22	[62 for endosulfan] 20 H
12P	beta-ENDOSULFAN	33213659	0.056	0.22	[See 11P] 20 H
13P	ENDOSULFAN SULFATE	01031078	N/A	N/A	[N/A] 20 [-] H
14P	ENDRIN	00072208	0.036	0.086	[0.059] 0.03 H
15P	ENDRIN ALDEHYDE	07421934	N/A	N/A	[0.29] 1.0 H
16P	HEPTACHLOR	00076448	0.0038	0.52	[0.000079] 0.000006 CRL
17P	HEPTACHLOR EPOXIDE	01024573	0.0038	0.5	[0.000039] 0.00003 CRL
E	HEXACHLOROCYCLOHEXANE (HCH)-TECHNICAL	00608731	N/A	N/A	0.007 CRL
E	METOXYCHLOR	00072435	N/A	N/A	0.02 H
18P	PCB		0.014	N/A	0.000064 for PCBs † CRL
25P	TOXAPHENE	08001352	0.0002	0.73	[0.00028] 0.0007 CRL
PP	2,3,7,8-TCDD	01746016	N/A	N/A	5.0 E-9 † CRL
D	ACETONE	00067641	86000	450000	[3500] 700 H
D	ACRYLAMIDE	00079061	N/A	N/A	0.07 CRL
D	ALUMINUM	07429905	N/A	750	N/A -
D	BARIUM	07440393	4100	21000	[2400] 1000 H
D	BENZENE METADISULFONIC ACID	00098486	1600000	2600000	N/A -
D	BENZENE MONOSULFONIC ACID	00098113	1200000	2000000	N/A -
D	BENZYL CHLORIDE	00100447	N/A	N/A	0.2 CRL
D	BORON	07440428	1600	8100	[3100] 600 H
D	2-BUTOXY ETHANOL	00111762	N/A	N/A	700 H
D	COBALT	07440484	19	95	N/A -
D	p-CRESOL	00106445	160	800	N/A -

PP NO	Chemical Name	CAS Number	Fish and Aquatic Life Criteria		Human Health Criteria (ug/L)
			Criteria Continuous Concentrations (ug/L)	Criteria Maximum Concentration (ug/L)	
D	CYCLOHEXYLAMINE	00108918	N/A	N/A	1000 H
E	DIAZINON	00333415	0.17	0.17	N/A -
D	FORMALDEHYDE	00050000	440	2200	[700] 1000 H
D	2-HEXANONE	00591786	4300	21000	N/A -
D	LITHIUM	07439932	N/A	N/A	N/A -
D	[METHYLETHYL] METHYL ETHYL KETONE	00078933	32000	230000	[21000] 300 H
D	[METHYLISO-BUTYL] METHYL ISOBUTYL KETONE	00108101	5000	26000	N/A -
D	METOLACHLOR	51218452	N/A	N/A	[69] 700 H
D	NONYLPHENOL	[00104405] 84852153	6.6	28	N/A -
D	P-PHENOL SULFONIC ACID	00098679	1400000	3500000	N/A -
D	[I] 1-PROPANOL	00071238	46000	230000	N/A -
D	2-PROPANOL	00067630	89000	440000	N/A -
D	RESORCINOL	01084603	7200	28000	[2700] 3000 H
D	STRONTIUM	07440246	N/A	N/A	4000 H
D	1,2,3-TRICHLORO[-]PROPANE	00096184	N/A	N/A	[210] 26 H
D	1,2,4-TRIMETHYLBENZENE	00095636	N/A	N/A	[72] 66 H
D	1,3,5-TRIMETHYLBENZENE	00108678	N/A	N/A	[72] 66 H
D	VANADIUM	07440622	100	510	N/A -
D	XYLENE	01330207	210	1100	[70000] 10000 H

Acronyms and Footnotes to Table 5

* Indicates dissolved metal criterion; others are total recoverable metals. Each listed dissolved criterion in Table 5 is equal to the corresponding total recoverable criterion before rounding (from the EPA National Ambient Water Quality Criteria Documents) multiplied by the conversion factor (from the Conversion Factors Table); a criterion that is expressed as a hardness (H)-based equation is shown in Table 5 as the conversion factor (listed) multiplied by the hardness criterion equation; an example criterion at hardness=100mg/L is included.

† Indicates criterion based on the exposure inputs of 2 liters per day of drinking water and consumption of 17.5 grams of fish per day, for protection of a 70 Kg person.

CAS—Chemical Abstract Service number

CRL—Cancer risk level at 1×10^{-6}

D—DEP developed criteria

E—EPA developed criteria

H—Threshold effect human health criterion; incorporates additional uncertainty factor for some Group C carcinogens.

ln [H]—Natural Logarithm of the Hardness of stream as mg/l CaCO₃

ug/L—Micrograms per liter

N/A—Criterion not developed

PP NO—Priority Pollutant Number

§ 93.8d. Development of site-specific water quality criteria.

* * * * *

(c) Scientific studies shall be performed in accordance with the procedures and guidance in the Water Quality Standards Handbook (EPA 1994), as amended and updated, including: “Guidance on the Determination and Use of Water-Effect Ratios for Metals” (February 1994); and the “Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health” (2000). **The Department may require the use of the Biotic Ligand Model (BLM) for the development of new or updated site-specific criteria for copper in freshwater systems.** Other guidance approved by the Department, which is based on other EPA-approved or scientifically defensible methodologies, may be used.

* * * * *

(f) If the Department determines that site-specific criteria are appropriate in accordance with subsection (a), the Department will do the following:

* * * * *

(2) Maintain a publicly available [lists] online table of site-specific criteria.

* * * * *

§ 93.8e. Special criteria for the Great Lakes System.

* * * * *

(b) *Water quality criteria for the Great Lakes System.* Human health and aquatic life criteria for the Great Lakes System are contained in Table 6 [(relating to Great Lakes aquatic life and human health criteria)]. For any pollutant not listed in the table, criteria in Table 5 may be used to protect existing and designated uses, or criteria will be developed by the Department, as needed, in accordance with this chapter and § 16.61 (relating to special provisions for the Great Lakes System).

* * * * *

DESIGNATED WATER USES AND WATER QUALITY CRITERIA

§ 93.9b. Drainage List B.

Delaware River Basin in Pennsylvania
Lackawaxen River

Stream	Zone	County	Water Uses Protected	Exceptions to Specific Criteria
3—Van Auken Creek	Basin	Wayne	HQ-TSF, MF	None
2—Lackawaxen River	[Mainstem, confluence of West Branch Lackawaxen River and Van Auken Creek to Dyberry Creek] Main Stem	[Wayne] Pike	HQ-TSF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions to Specific Criteria</i>
3—Tributaries to Lackawaxen River	Basins, confluence of West Branch Lackawaxen River and Van Auken Creek to Dyberry Creek	Wayne	HQ-CWF, MF	None
		* * * * *		
3—Dyberry Creek	Basin, Big Brook to Mouth	Wayne	HQ-CWF, MF	None
[2—Lackawaxen River	Main Stem, Dyberry Creek to Mouth	Wayne	HQ-TSF, MF	None]
3—Tributaries to Lackawaxen River	Basins, Dyberry Creek to Wallenpaupack Creek	Wayne	HQ-CWF, MF	None
		* * * * *		

§ 93.9c. Drainage List C.

Delaware River Basin in Pennsylvania
Delaware River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions to Specific Criteria</i>
		* * * * *		
2—Hornbecks Creek	Basin	Pike	HQ-CWF, MF	None
2—Spackmans Creek	Basin	Pike	HQ-CWF, MF	None
2—Toms Creek	Basin	Pike	EV, MF	None
		* * * * *		
2—Allegheny Creek	Basin	Northampton	CWF, MF	None
2—Mill Creek	Basin	Northampton	CWF, MF	None
2—Oughoughton Creek	Basin	Northampton	CWF, MF	None
		* * * * *		

§ 93.9d. Drainage List D.

Delaware River Basin in Pennsylvania
Lehigh River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions to Specific Criteria</i>
1—Delaware River				
2—Lehigh River	Basin, Source to Tobyhanna Creek	Luzerne-Monroe-Carbon	EV, MF	None
3—Tobyhanna Creek	[Main Stem] Basin, Source to Cross Keys Run	Monroe[-Carbon]	HQ-CWF, MF	None
[4—Unnamed Tributaries to Tobyhanna Creek	Basins	Monroe-Carbon	HQ-CWF, MF	None
4—Jim Smith Run	Basin	Monroe	HQ-CWF, MF	None
4—Pole Bridge Run	Basin	Monroe	HQ-CWF, MF	None
4—Singer Run	Basin	Monroe	HQ-CWF, MF	None
4—East Branch Dresser Run	Basin	Monroe	HQ-CWF, MF	None
4—Pollys Run	Basin	Monroe	HQ-CWF, MF	None
4—Hummler Run	Basin	Monroe	HQ-CWF, MF	None]
4—Cross Keys Run	Basin	Monroe	EV, MF	None
3—Tobyhanna Creek	Basin, Cross Keys Run to Frame Cabin Run	Monroe	HQ-CWF, MF	None
4—Frame Cabin Run	Basin	Monroe	EV, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions to Specific Criteria</i>
[4—Kistler Run	Basin	Monroe	HQ-CWF, MF	None
4—Wagner Run	Basin	Monroe	HQ-CWF, MF	None
4—Upper Tunkhannock Creek	Basin	Monroe	HQ-CWF, MF	None
4—Wolfs Spring Run	Basin	Monroe	HQ-CWF, MF	None
4—Deep Run	Basin	Monroe	HQ-CWF, MF	None
4—Davey Run	Basin	Monroe	HQ-CWF, MF	None
4—Red Run	Basin	Monroe	HQ-CWF, MF	None
4—Tunkhannock Creek	Basin	Monroe-Carbon	HQ-CWF, MF	None
4—Shingle Mill Run	Basin	Carbon	HQ-CWF, MF	None
4—Twomile Run	Basin	Monroe	HQ-CWF, MF	None
4—Stony Run	Basin	Monroe	HQ-CWF, MF	None]
3—Tobyhanna Creek	Basin, Frame Cabin Run to Mouth	Monroe-Carbon	HQ-CWF, MF	None
2—Lehigh River	Basin, Tobyhanna Creek to Buck Mountain Creek	Carbon	HQ-CWF, MF	None
3—Buck Mountain Creek	Main Stem	Carbon	HQ-CWF, MF	None
4—Unnamed Tributaries to Buck Mountain Creek	Basin	Carbon	HQ-CWF, MF	None
4—Indian Run	Basin	Carbon	HQ-CWF, MF	None
4—Shafer Run	Basin	Carbon	EV, MF	None
2—Lehigh River	Main Stem, Buck Mountain Creek to [PA 903 Bridge (at Jim Thorpe)] a point at 40° 52' 3.5" N; 75° 44' 9.3" W	Carbon	HQ-CWF, MF	None
3—Unnamed Tributaries to Lehigh River	Basins, Buck Mountain Creek to [PA 903 Bridge] the point at 40° 52' 3.5" N; 75° 44' 9.3" W	Carbon	HQ-CWF, MF	None
3—Drakes Creek	Basin	Carbon	HQ-CWF, MF	None
	* * * * *			
3—Robertson Run	Basin	Carbon	HQ-CWF, MF	None
2—Lehigh River	Main Stem, [PA 903 Bridge] the point at 40° 52' 3.5" N; 75° 44' 9.3" W to Allentown Dam	Lehigh	TSF, MF	None
3—Unnamed Tributaries to Lehigh River	Basins, [PA 903 Bridge] the point at 40° 52' 3.5" N; 75° 44' 9.3" W to Allentown Dam	Carbon-Lehigh	CWF, MF	None
3—Silkmill Run	Basin	Carbon	CWF, MF	None
3—Mauch Chunk Creek				
[3—Mauch Chunk] 5—White Bear Creek	Basin, Source to SR 902 Bridge	Carbon	EV, MF	None
[3—Mauch Chunk] 5—White Bear Creek	Basin, SR 902 Bridge to [Mouth] inlet of Mauch Chunk Lake	Carbon	CWF, MF	None
4—Mauch Chunk Lake	Basin	Carbon	CWF, MF	None
3—Mauch Chunk Creek	Basin, Mauch Chunk Lake Dam to Mouth	Carbon	CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions to Specific Criteria</i>
3—[Beaverdam] Beaver Run	Basin	Carbon	CWF, MF	None
3—Long Run	Basin	Carbon	CWF, MF	None
		* * * * *		
4—Jordan Creek	Main Stem	Lehigh	TSF, MF	None
5—[Unnamed] Tributaries to Jordan Creek	Basins, Source to Mill Creek	Lehigh	HQ-CWF, MF	None
[5—Switzer Creek	Basin	Lehigh	HQ-CWF, MF	None
5—Lyon Creek	Basin	Lehigh	HQ-CWF, MF	None]
5—Mill Creek	Basin	Lehigh	CWF, MF	None
[5—Hassen Creek	Basin	Lehigh	HQ-CWF, MF	None]
5—Tributaries to Jordan Creek	Basins, Mill Creek to Mouth	Lehigh	HQ-CWF, MF	None
3—Little Lehigh Creek	Basin, Jordan Creek to Mouth	Lehigh	HQ-CWF, MF	None
		* * * * *		

§ 93.9e. Drainage List E.

Delaware River Basin in Pennsylvania
Delaware River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions to Specific Criteria</i>
		* * * * *		
2—Frya Run	Basin	Northampton	HQ-CWF, MF	None
2—Cooks Creek	Basin	Bucks	EV, MF	None
2—Rodges Run	Basin	Bucks	TSF, MF	None
2—Gallows Run	Basin	Bucks	CWF, MF	None
2—Falls Creek	Basin	Bucks	TSF, MF	None
2—Swamp Creek	Basin	Bucks	TSF, MF	None
2—Tinicum Creek	Basin	Bucks	EV, MF	None
2—Smithtown Creek	Basin	Bucks	TSF, MF	None
2—Tohickon Creek	Basin, Source to Lake Nockamixon Dam	Bucks	TSF, MF	None
2—Tohickon Creek	Basin, Lake Nockamixon Dam to Deep Run	Bucks	CWF, MF	None
3—Deep Run	Basin	Bucks	WWF, MF	None
		* * * * *		
1—Delaware Estuary	Tidal Portions of Basin, Head of Tide to Burlington-Bristol Bridge	Bucks	WWF, MF	See DRBC regulations— Water Quality Zone 2
2—Unnamed Tributaries to Delaware Estuary	Non-Tidal Portion of Basins, Head of Tide to Burlington-Bristol Bridge	Bucks	WWF, MF	None
2—Biles Creek	Non-Tidal Portion of Basin	Bucks	WWF, MF	None
2—Martins Creek	Non-Tidal Portion of Basin	Bucks	WWF, MF	None
2—Levittown Lake	Basin	Bucks	TSF, MF	None
		* * * * *		

§ 93.9f. Drainage List F.

Delaware River Basin in Pennsylvania
Schuylkill River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
		* * * * *		
3—Tulpehocken Creek	Main Stem, Blue Marsh Reservoir Dam to T 921	Berks	CWF, MF	None
4—Unnamed Tributaries to Tulpehocken Creek	Basins, Blue Marsh Reservoir Dam to T 921	Berks	WWF, MF	None
[5] 4—Plum Creek	Basin, Source to [Unnamed Tributary at RM 0.45] UNT 01867 at 40° 22' 30.2" N; 76° 0' 45.2" W	Berks	WWF, MF	None
[6— Unnamed Tributary to Plum Creek at RM 0.45]	Basin	Berks	WWF, MF	None
5— UNT 01867 to Plum Creek				
[5] 4—Plum Creek	Basin, UNT [at RM 0.45] 01867 to Mouth	Berks	CWF, MF	None
4—Cacoosing Creek	Basin, Source to Little Cacoosing Creek	Berks	CWF, MF	None
		* * * * *		
3—UNTs to Schuylkill River	Basins, in Spring City and Phoenixville	Chester	WWF, MF	None
3—Manatawny Creek	[Main Stem	Berks	CWF, MF	None
4— Unnamed Tributaries to Manatawny Creek	Basins	Berks	CWF, MF	None]
4—Pine Creek	Basin	Berks	EV, MF	None
4—Bieber Creek	Basin	Berks	EV, MF	None
3—Manatawny Creek	Basin, Confluence of Pine Creek and Bieber Creek to Oysterville Creek	Berks	CWF, MF	None
[4— Little Manatawny Creek	Basin	Berks	CWF, MF	None]
4—Oysterville Creek	Basin, Source to T 634 Bridge [(RM 2.6)] at 40° 23' 45.9" N; 75° 42' 30.0" W	Berks	EV, MF	None
4—Oysterville Creek	Basin, T 634 Bridge [(RM 2.6)] to Confluence of UNT 01680 at 40° 22' 44.6" N; 75° 43' 48.0" W	Berks	HQ-CWF, MF	None
5—UNT 01680 to Oysterville Creek	Basin	Berks	CWF, MF	None
4—Oysterville Creek	Basin, UNT 01680 to Mouth	Berks	HQ-CWF, MF	None
[4— Furnace Run	Basin	Berks	CWF, MF	None]
3— Manatawny Creek	Basin, Oysterville Creek to Trout Run	Berks	CWF, MF	None
4—Trout Run	Basin	Berks	EV, MF	None
3— Manatawny Creek	Basin, Trout Run to Ironstone Creek	Berks	CWF, MF	None
4—Ironstone Creek	Basin	Berks	TSF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Manatawny Creek	Basin, Ironstone Creek to Mouth	Berks	CWF, MF	None
3—Sprogels Run	Basin	Montgomery	WWF, MF	None
	* * *			
3—Perkiomen Creek	Basin, Source to SR 1010 Bridge at Hereford	Berks	HQ-CWF, MF	None
3—Perkiomen Creek	Main Stem, SR 1010 Bridge to Green Lane Reservoir Dam	Montgomery	TSF, MF	None
4—[UNTs] Tributaries to Perkiomen Creek	Basins, SR 1010 Bridge to [Green Lane Reservoir Dam] Hosensack Creek	Montgomery	TSF, MF	None
4—Hosensack Creek	Basin	Montgomery	CWF, MF	None
4—Tributaries to Perkiomen Creek	Basins, Hosensack Creek to West Branch Perkiomen Creek	Montgomery	TSF, MF	None
4—West Branch Perkiomen Creek	Basin, Source to SR 1022 Bridge [(RM 12.9)] at 40° 26' 49.6" N; 75° 37' 16.2" W	Berks	CWF, MF	None
4—West Branch Perkiomen Creek	Basin, SR 1022 Bridge to SR 2069 Bridge [(RM 8.0)] at 40° 23' 45.8" N; 75° 36' 31.5" W	Berks	EV, MF	None
4—West Branch Perkiomen Creek	Basin, SR 2069 Bridge to Mouth	Montgomery	CWF, MF	None
4—Tributaries to Perkiomen Creek	Basins, West Branch Perkiomen Creek to Unami Creek	Montgomery	TSF, MF	None
3—Perkiomen Creek	Main Stem, Green Lane Reservoir Dam to Mouth	Montgomery	WWF, MF	None
[4—Unnamed Tributaries to Perkiomen Creek	Basins, Green Lane Reservoir Dam to Mouth	Montgomery	TSF, MF	None
4—Macoby Creek	Basin	Montgomery	TSF, MF	None
4—Deep Creek	Basin	Montgomery	TSF, MF	None]
4—Unami Creek	Basin	Montgomery	HQ-TSF, MF	None
4—Tributaries to Perkiomen Creek	Basins, Unami Creek to Swamp Creek	Montgomery	TSF, MF	None
4—Swamp Creek	Basin, Source to Dam in Bechtelsville [(RM 15.5)] at 40° 22' 24.9" N; 75° 37' 51.5" W	Berks	HQ-CWF, MF	None
4—Swamp Creek	Basin, Dam in Bechtelsville to [Route] SR 100 Bridge	Berks	CWF, MF	None
4—Swamp Creek	Basin, [Route] SR 100 Bridge to Mouth	Montgomery	TSF, MF	None
[4—Mine Run	Basin	Montgomery	TSF, MF	None
4—East Branch Perkiomen Creek	Basin	Montgomery	TSF, MF	None
4—Lodal Creek	Basin	Montgomery	TSF, MF	None
4—Schoolhouse Run	Basin	Montgomery	TSF, MF	None
4—Doe Run	Basin	Montgomery	TSF, MF	None
4—Skippack Creek	Basin	Montgomery	TSF, MF	None
4—Mine Run	Basin	Montgomery	TSF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Tributaries to Perkiomen Creek	Basins, Swamp Creek to Mouth	Montgomery	TSF, MF	None
3—Valley Creek	Basin	Montgomery—Chester	EV, MF	None
		* * *		

§ 93.9g. Drainage List G.

Delaware River Basin in Pennsylvania
Delaware River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
		* * *		
2—Ridley Creek	Non-Tidal Portions of Basin, LR 23013 Bridge to Mouth	Delaware	WWF, MF	None
2—Chester Creek	Basin (locally known as Goose Creek basin), Source to East Branch Chester Creek	Chester	[TSF] WWF, MF	None
3—East Branch Chester Creek	Basin [, Source to Westtown Run]	Chester	TSF, MF	None
[4—Westtown Run	Basin	Chester	WWF, MF	None
3—East Branch Chester Creek	Basin, Westtown Run to Mouth	Chester	TSF, MF	None]
2—Chester Creek	Basin, East Branch Chester Creek to Rocky Run	Delaware	TSF, MF	None
		* * *		
2—Chester Creek	Nontidal Portions of Basin, Dutton Mills Road Bridge to Mouth	Delaware	WWF, MF	None
2—[Stony] Stony Creek	Non-Tidal Portions of Basin	Delaware	WWF, MF	None
2—Marcus Hook Creek	Non-Tidal Portions of Basin	Delaware	WWF, MF	None
		* * *		
4—East Branch Brandywine Creek	Main Stem, Shamona Creek to Confluence with West Branch	Chester	WWF, MF	None
5—[Unnamed] Tributaries to East Branch Brandywine Creek	Basins, Shamona Creek to [Confluence with West Branch (except in East Brandywine and Uwchlan Townships)] UNT 00322 at 40° 1' 29.5" N; 75° 42' 22.6" W	Chester	[WWF, MF] HQ-TSF, MF	None
5—[Unnamed] Tributaries to East Branch Brandywine Creek	Basins, [in East Brandywine and Uwchlan Townships] UNT 00322 to Beaver Creek	Chester	[HQ-TSF, MF] WWF, MF	None
5—Beaver Creek	Basin	Chester	CWF, MF	None
5—Tributaries to East Branch Brandywine Creek	Basins, Beaver Creek to Confluence with West Branch	Chester	WWF, MF	None
5—Valley Creek	Basin, Source to Broad Run	Chester	CWF, MF	None
		* * *		
3—Brandywine Creek	[Main Stem] Basin, Confluence of East and West Branches to [PA-DE State Border] Pocopson Creek	[Delaware] Chester	WWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
[4— Unnamed Tributaries to Brandywine Creek	Basins (all sections in PA), Confluence of East and West Branches to PA-DE State Border	Chester-Delaware	WWF, MF	None
4— Plum Run	Basin	Chester	WWF, MF	None
4— Radley Run	Basin	Chester	WWF, MF	None]
4—Pocopson Creek	Basin	Chester	TSF, MF	None
[4— Bennetts Run	Basin	Chester	WWF, MF	None
4— Brinton Run	Basin	Chester	WWF, MF	None
4— Ring Run	Basin	Chester	WWF, MF	None
4— Harvey Run	Basin	Chester	WWF, MF	None]
3— Brandywine Creek	Basin (all sections in PA), Pocopson Creek to PA-DE State Border	Chester-Delaware	WWF, MF	None
3—Brandywine Creek (DE)				
4—[Unnamed] Tributaries to Brandywine Creek	Basins (all sections in PA), PA-DE State Border to Mouth	Delaware	WWF, MF	None

* * * * *

§ 93.9j. Drainage List J.

**Susquehanna River Basin in Pennsylvania
Lackawanna River**

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
		* * *		
3—Meadow Brook	Basin	Lackawanna	CWF, MF	None
3—Roaring Brook	Basin, Source to Inlet of Elmhurst Reservoir	Lackawanna	HQ-CWF, MF	None
3—Roaring Brook	Basin, Inlet of Elmhurst Reservoir to Mouth	Lackawanna	CWF, MF	None
3—Stafford Meadow Brook	Basin, Source to Farthest Downstream Crossing of Scranton-Moosic Corporate Boundary	Lackawanna	HQ-CWF, MF	None

* * * * *

§ 93.9k. Drainage List K.

**Susquehanna River Basin in Pennsylvania
Susquehanna River**

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
		* * *		
2—Warrior Creek	Basin	Luzerne	CWF, MF	None
2—Nanticoke Creek	Basin	Luzerne	CWF, MF	None
2—Newport Creek	Basin	Luzerne	CWF, MF	None
2—Harvey Creek	Basin, Source to Pikes Creek	Luzerne	HQ-CWF, MF	None
3—Pikes Creek	Basin	Luzerne	HQ-CWF, MF	None
2—Harvey Creek	Basin, Pikes Creek to Mouth	Luzerne	CWF, MF	None

* * * * *

§ 93.91. Drainage List L.

Susquehanna River Basin in Pennsylvania
West Branch Susquehanna River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
1—Susquehanna River				
2—West Branch Susquehanna River	Main Stem	Northumberland	WWF, MF	None
3—[Unnamed] Tributaries to West Branch Susquehanna River	Basins, Source to [Moshannon Creek] Cush Cushion Creek	Cambria-Indiana-Clearfield	CWF, MF	None
[3—Leslie Run	Basin	Cambria	CWF, MF	None
3—Hoppel Run	Basin	Cambria	CWF, MF	None
3—Fox Run	Basin	Cambria	CWF, MF	None
3—Browns Run	Basin	Cambria	CWF, MF	None
3—Walnut Run	Basin	Cambria	CWF, MF	None
3—Porter Run	Basin	Cambria	CWF, MF	None
3—Moss Creek	Basin	Cambria	CWF, MF	None
3—Douglas Run	Basin	Cambria	CWF, MF	None
3—Emeigh Run	Basin	Cambria	CWF, MF	None
3—Peg Run	Basin	Cambria	CWF, MF	None]
3—Cush Cushion Creek	Basin	Indiana	HQ-CWF, MF	None
[3—Kilns Run	Basin	Clearfield	CWF, MF	None
3—Kings Run	Basin	Clearfield	CWF, MF	None
3—Shyrock Run	Basin	Clearfield	CWF, MF	None
3—Boiling Spring Run	Basin	Clearfield	CWF, MF	None
3—Sawmill Run	Basin	Clearfield	CWF, MF	None
3—Rock Run	Basin	Clearfield	CWF, MF	None
3—Cush Creek	Basin	Clearfield	CWF, MF	None
3—Martin Run	Basin	Clearfield	CWF, MF	None
3—North Run	Basin	Clearfield	CWF, MF	None
3—Deer Run	Basin	Clearfield	CWF, MF	None
3—Bear Run	Basin	Clearfield	CWF, MF	None
3—Whisky Run	Basin	Clearfield	CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Cush Cushion Creek to Chest Creek	Clearfield	CWF, MF	None
3—Chest Creek	Basin, Source to Patton Water Supply	Cambria	HQ-CWF, MF	None
3—Chest Creek	Basin, Patton Water Supply to Rogues Harbor Run	Clearfield	CWF, MF	None
4—Rogues Harbor Run	Basin	Clearfield	EV, MF	None
3—Chest Creek	Basin, Rogues Harbor Run to Pine Run	Clearfield	CWF, MF	None
4—Pine Run	Basin	Clearfield	EV, MF	None
3—Chest Creek	Basin, Pine Run to Mouth	Clearfield	CWF, MF	None
[3—Miller Run	Basin	Clearfield	CWF, MF	None
3—Laurel Run	Basin	Clearfield	CWF, MF	None
3—Haslett Run	Basin	Clearfield	CWF, MF	None
3—Curry Run	Basin	Clearfield	CWF, MF	None
3—McCracken Run	Basin	Clearfield	CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Bell Run	Basin	Clearfield	CWF, MF	None
3—Hiles Run	Basin	Clearfield	CWF, MF	None
3—Passmore Run	Basin	Clearfield	CWF, MF	None
3—Porter Run	Basin	Clearfield	CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Chest Creek to Anderson Creek	Clearfield	CWF, MF	None
3—Anderson Creek	Basin, Source to DuBois Dam	Clearfield	HQ-CWF, MF	None
3—Anderson Creek	Basin, DuBois Dam to Bear Run	Clearfield	CWF, MF	None
4—Bear Run	Basin, Source to Pike Twp. Municipal Authority Dam	Clearfield	HQ-CWF, MF	None
4—Bear Run	Basin, Pike Twp. Municipal Authority Dam to Mouth	Clearfield	CWF, MF	None
3—Anderson Creek	Basin, Bear Run to Mouth	Clearfield	CWF, MF	None
[3—Hogback Run	Basin	Clearfield	CWF, MF	None
3—Hartshorn Run	Basin	Clearfield	CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Anderson Creek to Montgomery Creek	Clearfield	CWF, MF	None
3—Montgomery Creek	Basin, Source to Montgomery Dam	Clearfield	HQ-CWF, MF	None
3—Montgomery Creek	Basin, Montgomery Dam to Mouth	Clearfield	CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Montgomery Creek to Moose Creek	Clearfield	CWF, MF	None
3—Moose Creek	Basin, Source to Dam	Clearfield	HQ-CWF, MF	None
3—Moose Creek	Basin, Dam to Mouth	Clearfield	CWF, MF	None
[3—Wolf Run	Basin	Clearfield	CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Moose Creek to Clearfield Creek	Clearfield	CWF, MF	None
3—Clearfield Creek	Main Stem	Clearfield	WWF, MF	None
4—[Unnamed] Tributaries to Clearfield Creek	Basins, Source to Sandy Run	Cambria [-Clearfield]	CWF, MF	None
[4—Bradley Run	Basin	Cambria	CWF, MF	None
4—Beaverdam Run	Basin	Cambria	CWF, MF	None
4—Swartz Run	Basin	Cambria	CWF, MF	None
4—Little Laurel Run	Basin	Cambria	CWF, MF	None
4—Indian Run	Basin	Cambria	CWF, MF	None
4—Laurel Run	Basin	Cambria	CWF, MF	None
4—Brubaker Run	Basin	Cambria	CWF, MF	None]
4—Sandy Run	Basin	Cambria	HQ-CWF, MF	None
[4—Powell Run	Basin	Cambria	CWF, MF	None
4—Fallentimber Run	Basin	Cambria	CWF, MF	None
4—Beaverdam Run	Basin	Cambria	CWF, MF	None
4—Turner Run	Basin	Clearfield	CWF, MF	None
4—Blain Run	Basin	Clearfield	CWF, MF	None
4—North Witmer Run	Basin	Clearfield	CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—DeWitt Run	Basin	Clearfield	CWF, MF	None
4—Pine Run	Basin	Clearfield	CWF, MF	None
4—Dotts Hollow	Basin	Clearfield	CWF, MF	None
4—Cofinan Run	Basin	Clearfield	CWF, MF	None
4—Blue Run	Basin	Clearfield	CWF, MF	None
4—Buck Run (Porter Run)	Basin	Clearfield	CWF, MF	None
4—Maplepole Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Clearfield Creek	Basins, Sandy Run to Muddy Run	Cambria	CWF, MF	None
4—Muddy Run	Basin, Source to Little Muddy Run	Clearfield	CWF, MF	None
5—Little Muddy Run	Basin, Source to Janesville Sportsman Dam	Clearfield	HQ-CWF, MF	None
5—Little Muddy Run	Basin, Janesville Sportsman Dam to Mouth	Clearfield	CWF, MF	None
4—Muddy Run	Basin, Little Muddy Run to Mouth	Clearfield	CWF, MF	None
[4—Japling Run	Basin	Clearfield	CWF, MF	None
4—Pine Run	Basin	Clearfield	CWF, MF	None
4—Lost Run	Basin	Clearfield	CWF, MF	None
4—Upper Morgan Run	Basin	Clearfield	CWF, MF	None
4—Potts Run	Basin	Clearfield	CWF, MF	None
4—Dunlap Run	Basin	Clearfield	CWF, MF	None
4—Lytle Run	Basin	Clearfield	CWF, MF	None
4—Cherry Run	Basin	Clearfield	CWF, MF	None
4—Raccoon Run	Basin	Clearfield	CWF, MF	None
4—Sanhourn Run	Basin	Clearfield	CWF, MF	None
4—Camp Hope Run	Basin	Clearfield	CWF, MF	None
4—Morgan Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Clearfield Creek	Basins, Muddy Run to Little Clearfield Creek	Clearfield	CWF, MF	None
4—Little Clearfield Creek	Basin	Clearfield	HQ-CWF, MF	None
[4—Long Run	Basin	Clearfield	CWF, MF	None
4—Roaring Run	Basin	Clearfield	CWF, MF	None
3—Abes Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Clearfield Creek	Basins, Little Clearfield Creek to Mouth	Clearfield	CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Clearfield Creek to Lick Run	Clearfield	CWF, MF	None
3—Lick Run	Basin	Clearfield	HQ-CWF, MF	None
[3—Devils Run	Basin	Clearfield	CWF, MF	None
3—Bloody Run	Basin	Clearfield	CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Lick Run to Trout Run	Clearfield	CWF, MF	None
3—Trout Run	Basin	Clearfield	HQ-CWF, MF	None
[3—Millstone Run	Basin	Clearfield	CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Surveyor Run	Basin	Clearfield	CWF, MF	None
3—Bear Run	Basin	Clearfield	CWF, MF	None
3—Bald Hill Run	Basin	Clearfield	CWF, MF	None
3—Moravian Run	Basin	Clearfield	CWF, MF	None
3—Deer Creek	Basin	Clearfield	CWF, MF	None
3—Big Run	Basin	Clearfield	CWF, MF	None
3—Willholm Run	Basin	Clearfield	CWF, MF	None
3—Sandy Creek	Basin	Clearfield	CWF, MF	None
3—Alder Run	Basin	Clearfield	CWF, MF	None
3—Rolling Stone Run	Basin	Clearfield	CWF, MF	None
3—Mowry Run	Basin	Clearfield	CWF, MF	None
3—Basin Run	Basin	Clearfield	CWF, MF	None
3—Rock Run	Basin	Clearfield	CWF, MF	None
3—Potter Run	Basin	Clearfield	CWF, MF	None
3—Rupley Run	Basin	Clearfield	CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Trout Run to Moshannon Creek	Clearfield	CWF, MF	None
3—Moshannon Creek	Basin, Source to Roup Run	Clearfield-Centre	HQ-CWF, MF	None
4—Roup Run	Basin	Centre	CWF, MF	None
3—Moshannon Creek	Main Stem, Roup Run to Mouth	Clearfield-Centre	TSF, MF	None
4—[UNTs] Tributaries to Moshannon Creek	Basins, Roup Run to [Mouth] Mountain Branch	Clearfield-Centre	CWF, MF	None
[4—Roup Run	Basin	Centre	CWF, MF	None
4—Whiteside Run	Basin	Clearfield	CWF, MF	None]
4—Mountain Branch	Basin, Source to Trim Root Run	Centre	HQ-CWF, MF	None
5—Trim Root Run	Basin	Centre	HQ-CWF, MF	None
4—Mountain Branch	Basin, Trim Root Run to Mouth	Centre	CWF, MF	None
[4—Bear Run	Basin	Centre	CWF, MF	None
4—Beaver Run	Basin	Clearfield	CWF, MF	None
4—Big Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Moshannon Creek	Basins, Mountain Branch to Trout Run	Clearfield-Centre	CWF, MF	None
4—Trout Run	Basin, Source to Montola Dam	Centre	HQ-CWF, MF	None
4—Trout Run	Basin, Montola Dam to Mouth	Centre	CWF, MF	None
[4—Shimel Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Moshannon Creek	Basins, Trout Run to Laurel Run	Clearfield-Centre	CWF, MF	None
4—Laurel Run	Basin, Source to Simeling Run	Clearfield	CWF, MF	None
5—Simeling Run	Basin	Clearfield	HQ-CWF, MF	None
4—Laurel Run	Basin, Simeling Run to Mouth	Clearfield	CWF, MF	None
4—Tributaries to Moshannon Creek	Basins, Laurel Run to Cold Stream	Clearfield-Centre	CWF, MF	None
4—Cold Stream	Basin, Source to US 322	Centre	HQ-CWF, MF	None
4—Cold Stream	Basin, US 322 to Mouth	Centre	CWF, MF	None
[4—Emigh Run	Basin	Clearfield	CWF, MF	None
4—Onemile Run	Basin	Centre	CWF, MF	None
4—Hawk Run	Basin	Clearfield	CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Wolf Run	Basin	Centre	CWF, MF	None
4—Sulphur Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Moshannon Creek	Basins, Cold Stream to Black Bear Run	Clearfield-Centre	CWF, MF	None
4—Black Bear Run	Basin	Centre	EV, MF	None
4—Tributaries to Moshannon Creek	Basins, Black Bear Run to Sixmile Run	Clearfield-Centre	CWF, MF	None
4—Sixmile Run	Basin	Centre	HQ-CWF, MF	None
[4—Tark Hill Run	Basin	Centre	CWF, MF	None
4—Potter Run	Basin	Centre	CWF, MF	None
4—Laurel Run	Basin	Centre	CWF, MF	None
4—Browns Run	Basin	Clearfield	CWF, MF	None
4—Grassflat Run	Basin	Clearfield	CWF, MF	None
4—Weber Run	Basin	Clearfield	CWF, MF	None
4—Crawford Run	Basin	Clearfield	CWF, MF	None]
4—Tributaries to Moshannon Creek	Basins, Sixmile Run to Black Moshannon Creek	Clearfield-Centre	CWF, MF	None
4—Black Moshannon Creek	[Main Stem] Basin, Source to Benner Run	Centre	HQ-CWF, MF	None
[5—Unnamed Tributaries to Black Moshannon Creek	Basins	Centre	HQ-CWF, MF	None
5—Shirks Run	Basin	Centre	HQ-CWF, MF	None
5—Smays Run	Basin	Centre	HQ-CWF, MF	None
5—North Run	Basin	Centre	HQ-CWF, MF	None]
5—Benner Run	Basin, Source to Pine Haven Camp	Centre	EV, MF	None
5—Benner Run	Basin, Pine Haven Camp to Mouth	Centre	HQ-CWF, MF	None
[5—Hall Run	Basin	Centre	HQ-CWF, MF	None
5—Myers Run	Basin	Centre	HQ-CWF, MF	None]
4—Black Moshannon Creek	Basin, Benner Run to Rock Run	Centre	HQ-CWF, MF	None
5—Rock Run	Basin	Centre	EV, MF	None
[5—Pine Run	Basin	Centre	HQ-CWF, MF	None
5—Hicklen Run	Basin	Centre	HQ-CWF, MF	None
4—Sevenmile Run	Basin	Centre	CWF, MF	None]
4—Black Moshannon Creek	Basin, Rock Run to Mouth	Centre	HQ-CWF, MF	None
4—Tributaries to Moshannon Creek	Basins, Black Moshannon Creek to Ames Run	Clearfield-Centre	CWF, MF	None
4—Ames Run	Basin	Clearfield	HQ-CWF, MF	None
4—Tributaries to Moshannon Creek	Basins, Ames Run to Mouth	Clearfield-Centre	CWF, MF	None
3—[Unnamed] Tributaries to West Branch Susquehanna River	Basins, Moshannon Creek to [RM 121.36] Mosquito Creek	Clearfield-Centre [-Clinton]	HQ-CWF, MF	None
[3—Redlick Run	Basin	Centre	HQ-CWF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Mosquito Creek	[Main Stem] Basin, Source to Twelvemile Run	Elk-Clearfield	HQ-CWF, MF	None
[4—Unnamed Tributaries to Mosquito Creek	Basins	Elk-Clearfield	HQ-CWF, MF	None
4—Pebble Run	Basin	Elk	HQ-CWF, MF	None
4—Beaver Run	Basin	Elk	HQ-CWF, MF	None
4—McNerny Run	Basin	Clearfield	HQ-CWF, MF	None
4—Meeker Run	Basin	Clearfield	HQ-CWF, MF	None
4—Panther Run	Basin	Clearfield	HQ-CWF, MF	None]
4—Twelvemile Run	Basin	Clearfield	EV, MF	None
[4—Gifford Run	Basin	Clearfield	HQ-CWF, MF	None
4—Susman Run	Basin	Clearfield	HQ-CWF, MF	None]
3—Mosquito Creek	Basin, Twelvemile Run to Cole Run	Clearfield	HQ-CWF, MF	None
4—Cole Run	Basin	Clearfield	EV, MF	None
[4—Grimes Run	Basin	Clearfield	HQ-CWF, MF	None
4—Dutch Hollow	Basin	Clearfield	HQ-CWF, MF	None
4—Curleys Run	Basin	Clearfield	HQ-CWF, MF	None
3—Laurel Run	Basin	Centre	HQ-CWF, MF	None
3—Saltlick Run	Basin	Clearfield	HQ-CWF, MF	None
3—Upper Three Runs	Basin	Clearfield	HQ-CWF, MF	None
3—Lower Three Runs	Basin	Clearfield	HQ-CWF, MF	None
3—Sterling Run	Basin	Centre	HQ-CWF, MF	None]
3—Mosquito Creek	Basin, Cole Run to Mouth	Clearfield	HQ-CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Mosquito Creek to Loop Run	Clearfield-Centre-Clinton	HQ-CWF, MF	None
3—Loop Run	Basin	Clinton	CWF, MF	None
[3—Spruce Run	Basin	Centre	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Loop Run to UNT 25562 at 41° 9' 40.2"N; 78° 0' 3.9"W	Centre-Clinton	HQ-CWF, MF	None
3—[Unnamed Tributary to West Branch Susquehanna River at RM 121.36] UNT 25562	Basin	Clinton	CWF, MF	None
3—[Unnamed] Tributaries to West Branch Susquehanna River	Basins, [RM 121.36 to Queens Run] UNT 25562 to Little Bougher Run	Centre-Clinton	HQ-CWF, MF	None
[3—Bougher Run	Basin	Centre	HQ-CWF, MF	None]
3—Little Bougher Run	Basin	Clinton	CWF, MF	None
[3—Leaning Pine Run	Basin	Clinton	HQ-CWF, MF	None
3—Moores Run	Basin	Centre	HQ-CWF, MF	None
3—Sugarcamp Run	Basin	Clinton	HQ-CWF, MF	None
3—Birch Island Run	Basin	Clinton	HQ-CWF, MF	None
3—Black Stump Run	Basin	Clinton	HQ-CWF, MF	None
3—Grove Run	Basin	Clinton	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Fields Run	Basin	Centre	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Little Bougher Run to Yost Run	Centre-Clinton	HQ-CWF, MF	None
3—Yost Run	Basin	Centre	EV, MF	None
[3—Morris Run	Basin	Clinton	HQ-CWF, MF	None
3—Dry Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Yost Run to Burns Run	Centre-Clinton	HQ-CWF, MF	None
3—Burns Run	Basin	Centre	EV, MF	None
[3—Jews Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Burns Run to Sinnemahoning Creek	Centre-Clinton-Cameron	HQ-CWF, MF	None
3—Sinnemahoning Creek				
4—Bennett Branch Sinnemahoning Creek	[Main Stem, Source to Mill Run] Basin, Source to South Branch Bennett Branch	Cameron	CWF, MF	None
[5—Unnamed Tributaries to Bennett Branch Sinnemahoning Creek	Basins	Clearfield-Elk-Cameron	CWF, MF	None
5—McCracken Run	Basin	Clearfield	CWF, MF	None]
5—South Branch Bennett Branch	Basin	Clearfield	HQ-CWF, MF	None
[5—Heath Run	Basin	Clearfield	CWF, MF	None
5—Bark Camp Run	Basin	Clearfield	CWF, MF	None
5—Mountain Run	Basin	Clearfield	CWF, MF	None
5—Matley Hollow	Basin	Clearfield	CWF, MF	None]
4—Bennett Branch Sinnemahoning Creek	Basin, South Branch Bennett Branch to Wilson Run	Clearfield	CWF, MF	None
5—Wilson Run	Basin, Source to East Branch Wilson Run	Clearfield	CWF, MF	None
6—East Branch Wilson Run	Basin	Clearfield	HQ-CWF, MF	None
5—Wilson Run	Basin, East Branch Wilson Run to Mouth	Clearfield	CWF, MF	None
[5—Moose Run	Basin	Clearfield	CWF, MF	None
5—Horning Run	Basin	Clearfield	CWF, MF	None
5—Lamb Hollow	Basin	Clearfield	CWF, MF	None
5—Horning Hollow	Basin	Clearfield	CWF, MF	None
5—Mill Run	Basin	Clearfield	CWF, MF	None]
4—Bennett Branch Sinnemahoning Creek	Basin, Wilson Run to Mill Run	Clearfield	CWF, MF	None
5—Mill Run	Basin	Clearfield	CWF, MF	None
4—Bennett Branch Sinnemahoning Creek	Main Stem, Mill Run to Confluence with Driftwood Branch	Cameron	WWF, MF	None
[5—Tyler Run	Basin	Clearfield	CWF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Mill Run to Cherry Run	Clearfield-Cameron-Elk	CWF, MF	None
5—Cherry Run	Basin, Source to Shawmut Dam	Elk	HQ-CWF, MF	None
5—Cherry Run	Basin, Shawmut Dam to Mouth	Elk	CWF, MF	None
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Cherry Run to Kersey Run	Elk	CWF, MF	None
5—Kersey Run	Basin, Source to Byrnes Run	Elk	CWF, MF	None
6—Byrnes Run	Basin	Elk	EV, MF	None
5—Kersey Run	Basin, Byrnes Run to Mouth	Elk	CWF, MF	None
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Kersey Run to Laurel Run	Elk	CWF, MF	None
5—Laurel Run	Basin	Elk	HQ-CWF, MF	None
[5—Bakemans Run	Basin	Elk	CWF, MF	None]
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Laurel Run to Medix Run	Elk	CWF, MF	None
5—Medix Run	Basin	Elk	HQ-CWF, MF	None
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Medix Run to Trout Run	Elk	CWF, MF	None
5—Trout Run	Basin, Source to Spring Run	Elk	CWF, MF	None
6—Spring Run	Basin, Source to UNT 24721 at 41° 20' 25.0"N; 78° 29' 52.9" W	Elk	CWF, MF	None
7—UNT 24721 to Spring Run	Basin	Elk	CWF, MF	None
6—Spring Run	Basin, UNT 24721 to Stony Brook	Elk	HQ-CWF, MF	None
7—Stony Brook	Basin	Elk	CWF, MF	None
6—Spring Run	Basin, Stony [Run] Brook to Mouth	Elk	CWF, MF	None
5—Trout Run	Basin, Spring Run to Mouth	Elk	CWF, MF	None
[5—Jimmy Run	Basin	Elk	CWF, MF	None
5—Johnson Run	Basin	Elk	CWF, MF	None
5—Wainwright Run	Basin	Elk	CWF, MF	None
5—Charlies Run	Basin	Elk	CWF, MF	None]
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Trout Run to Dents Run	Elk	CWF, MF	None
5—Dents Run	Basin	Elk	HQ-CWF, MF	None
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Dents Run to Hicks Run	Elk	CWF, MF	None
5—Hicks Run				
6—East Branch Hicks Run	Basin Source to Confluence with West Branch	Elk	HQ-CWF, MF	None
6—West Branch Hicks Run	Basin, Source to Confluence with East Branch	Elk	EV, MF	None
5—Hicks Run	Basin, Confluence of East and West Branches to Mouth	Cameron	HQ-CWF, MF	None
[5—Hicks Hollow	Basin	Cameron	CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—Beaverdam Run	Basin	Cameron	CWF, MF	None
5—Stone Quarry Hollow	Basin	Cameron	CWF, MF	None]
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Hicks Run to Miller Run	Cameron	CWF, MF	None
5—Miller Run	Basin	Cameron	HQ-CWF, MF	None
[5—Water Plug Hollow	Basin	Cameron	CWF, MF	None]
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Miller Run to Mix Run	Cameron	CWF, MF	None
5—Mix Run	Basin, Source to English Draft Run	Elk	EV, MF	None
6—English Draft Run	Basin	Elk	HQ-CWF, MF	None
5—Mix Run	Basin, English Draft Run to Mouth	Cameron	HQ-CWF, MF	None
[5—Little Dent Run	Basin	Cameron	CWF, MF	None
5—Nanny Run	Basin	Cameron	CWF, MF	None
5—Boyer Run	Basin	Cameron	CWF, MF	None]
5—Tributaries to Bennett Branch Sinnemahoning Creek	Basins, Mix Run to Confluence with Driftwood Branch	Cameron	CWF, MF	None
4—Driftwood Branch Sinnemahoning Creek	Basin, Source to Elk Fork	Cameron	HQ-CWF, MF	None
5—Elk Fork	Basin, Source to Nichols Run	Cameron	EV, MF	None
6—Nichols Run	Basin	Cameron	HQ-CWF, MF	None
5—Elk Fork	Basin, Nichols Run to Mouth	Cameron	HQ-CWF, MF	None
4—Driftwood Branch Sinnemahoning Creek	Main Stem, Elk Fork to Confluence with Bennett Branch	Cameron	TSF, MF	None
5— [Unnamed] Tributaries to Driftwood Branch Sinnemahoning Creek	Basins, Elk Fork to [Confluence with Bennett Branch] Cooks Run	Cameron	HQ-CWF, MF	None
[5—Big Run	Basin	Cameron	HQ-CWF, MF	None
5—Bobby Run	Basin	Cameron	HQ-CWF, MF	None]
5—Cooks Run	Basin	Cameron	EV, MF	None
[5—Johns Run	Basin	Cameron	HQ-CWF, MF	None
5—Britton Run	Basin	Cameron	HQ-CWF, MF	None]
5—Tributaries to Driftwood Branch Sinnemahoning Creek	Basins, Cooks Run to Clear Creek	Cameron	HQ-CWF, MF	None
5—Clear Creek	Basin, Source to Mud Run	Cameron	EV, MF	None
6—Mud Run	Basin	Cameron	HQ-CWF, MF	None
5—Clear Creek	Basin, Mud Run to Mouth	Cameron	HQ-CWF, MF	None
[5—Ferguson Hollow	Basin	Cameron	HQ-CWF, MF	None
5—North Creek	Basin	Cameron	HQ-CWF, MF	None
5—Swesey Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Dodge Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Eddy Run	Basin	Cameron	HQ-CWF, MF	None
5—Wheaton Hollow	Basin	Cameron	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—West Creek	Basin	Cameron	HQ-CWF, MF	None]
5—Tributaries to Driftwood Branch Sinnemahoning Creek	Basins, Clear Creek to Sinnemahoning Portage Creek	Cameron	HQ-CWF, MF	None
5—Sinnemahoning Portage Creek	Basin, Source to Cowley Run	Cameron	EV, MF	None
6—Cowley Run	Basin	Cameron	EV, MF	None
5—Sinnemahoning Portage Creek	Basin, Cowley Run to Mouth	Cameron	CWF, MF	None
[5—Bauer Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Canoe Run	Basin	Cameron	HQ-CWF, MF	None
5—Hunts Run	Basin	Cameron	HQ-CWF, MF	None
5—Stillhouse Run	Basin	Cameron	HQ-CWF, MF	None
5—Square Timber Run	Basin	Cameron	HQ-CWF, MF	None]
5—Tributaries to Driftwood Branch Sinnemahoning Creek	Basins, Sinnemahoning Portage Creek to Sterling Run	Cameron	HQ-CWF, MF	None
5—Sterling Run				
6—Finley Run	Basin, Source to [Unnamed Tributary at R.M. 1.7] UNT 25003 at 41° 25' 54.7" N; 78° 15' 34.2" W	Cameron	HQ-CWF, MF	None
7—UNT 25003	Basin	Cameron	HQ-CWF, MF	None
6—Finley Run	Basin, [Unnamed Tributary at R.M. 1.7] UNT 25003 to Confluence with Portable Run	Cameron	CWF, MF	None
6—Portable Run	Basin, Source to Confluence with Finley Run	Cameron	CWF, MF	None
5—Sterling Run	Basin, Confluence of Portable Run and Finley Run to Tannery Hollow Run	Cameron	CWF, MF	None
6—Tannery Hollow Run	Basin	Cameron	EV, MF	None
5—Sterling Run	Basin, Tannery Hollow Run to Mouth	Cameron	CWF, MF	None
[5—Mason Grove Run	Basin	Cameron	HQ-CWF, MF	None
5—Wash Mason Run	Basin	Cameron	HQ-CWF, MF	None
5—John Mason Run	Basin	Cameron	HQ-CWF, MF	None
5—Big Run	Basin	Cameron	HQ-CWF, MF	None
5—Dry Run	Basin	Cameron	HQ-CWF, MF	None
5—Tanglefoot Run	Basin	Cameron	HQ-CWF, MF	None
5—Nelson Run	Basin	Cameron	HQ-CWF, MF	None
5—Grindstone Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Johnson Run	Basin	Cameron	HQ-CWF, MF	None]
5—Tributaries to Driftwood Branch Sinnemahoning Creek	Basins, Sterling Run to Confluence with Bennett Branch	Cameron	HQ-CWF, MF	None
3—Sinnemahoning Creek	Main Stem, Confluence of Bennett and Driftwood Branches to Mouth	Clinton	WWF, MF	None
4— [Unnamed] Tributaries to Sinnemahoning Creek	Basins, Confluence of Bennett and Driftwood Branches to [Mouth] First Fork	Cameron [-Clinton]	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
[4—Grove Run	Basin	Cameron	HQ-CWF, MF	None]
4—First Fork Sinnemahoning Creek	Basin, Source to Big Nelson Run	Cameron	HQ-CWF, MF	None
5—Big Nelson Run	Basin, Source to Right Branch Big Nelson Run	Potter	HQ-CWF, MF	None
6—Right Branch Big Nelson Run	Basin	Potter	EV, MF	None
5—Big Nelson Run	Basin, Right Branch Big Nelson Run to Mouth	Potter	HQ-CWF, MF	None
4—First Fork Sinnemahoning Creek	[Main Stem, Big Nelson Run to Stevenson Dam] Basin, Big Nelson Run to East Fork Sinnemahoning Creek	Cameron	HQ-CWF, MF	None
[5—Unnamed Tributaries to First Fork Sinnemahoning Creek	Basins, Big Nelson Run to Stevenson Dam	Potter-Cameron	HQ-CWF, MF	None
5—Fish Basket Hollow	Basin	Potter	HQ-CWF, MF	None
5—Little Nelson Run	Basin	Potter	HQ-CWF, MF	None]
5—East Fork Sinnemahoning Creek	Basin, Source to [Dolliver Trail] UNT 24255 at 40° 38' 35.5" N; 77° 51' 9.5" W (known as Dolliver Trail)	Potter	EV, MF	None
6—UNT 24255	Basin	Potter	EV, MF	None
5—East Fork Sinnemahoning Creek	[Main Stem, Dolliver Trail to Mouth] Basin, UNT 24255 to Stony Lick Run	Potter	HQ-CWF, MF	None
[6—Unnamed Tributaries to East Fork Sinnemahoning Creek	Basins, Dolliver Trail to Mouth	Potter	HQ-CWF, MF	None
6—Shinglebolt Hollow	Basin	Potter	HQ-CWF, MF	None
6—Horton Run	Basin	Potter	HQ-CWF, MF	None]
6—Stony Lick Run	Basin	Potter	EV, MF	None
[6—Wild Boy Run	Basin	Potter	HQ-CWF, MF	None
6—Jackson Lick Run	Basin	Potter	HQ-CWF, MF	None
6—Graveyard Hollow	Basin	Potter	HQ-CWF, MF	None
6—Stony Run	Basin	Potter	HQ-CWF, MF	None
6—Jamison Run	Basin	Potter	HQ-CWF, MF	None
6—Little Joe Run	Basin	Potter	HQ-CWF, MF	None
6—Camp Run	Basin	Potter	HQ-CWF, MF	None
6—Gravel Lick Run	Basin	Potter	HQ-CWF, MF	None
6—Mud Lick Run	Basin	Potter	HQ-CWF, MF	None
6—Williams Run	Basin	Potter	HQ-CWF, MF	None
6—Marvin Run	Basin	Potter	HQ-CWF, MF	None]
5—East Fork Sinnemahoning Creek	Basin, Stony Lick Run to Birch Run	Potter	HQ-CWF, MF	None
6—Birch Run	Basin	Potter	EV, MF	None
[6—Long Hollow	Basin	Potter	HQ-CWF, MF	None
6—Jordan Hollow	Basin	Potter	HQ-CWF, MF	None
6—Schoolhouse Run	Basin	Potter	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
6—Black Stump Hollow	Basin	Potter	HQ-CWF, MF	None
6—Upper Vag Hollow	Basin	Potter	HQ-CWF, MF	None
6—Hunter Hollow	Basin	Potter	HQ-CWF, MF	None
6—Avery Hollow	Basin	Potter	HQ-CWF, MF	None
6—Bentley Hollow	Basin	Potter	HQ-CWF, MF	None
5—Elk Lick Run	Basin	Potter	HQ-CWF, MF	None
5—Schoolhouse Run	Basin	Potter	HQ-CWF, MF	None
5—Dry Hollow	Basin	Potter	HQ-CWF, MF	None
5—Pine Island Run	Basin	Potter	HQ-CWF, MF	None]
5—East Fork Sinnemahoning Creek	Basin, Birch Run to Mouth	Potter	HQ-CWF, MF	None
4—First Fork Sinnemahoning Creek	Basin, East Fork Sinnemahoning Creek to Bailey Run	Potter	HQ-CWF, MF	None
5—Bailey Run	Basin, Source to Little Bailey Run	Potter	EV, MF	None
6—Little Bailey Run	Basin	Potter	HQ-CWF, MF	None
5—Bailey Run	Basin, Little Bailey Run to Mouth	Potter	HQ-CWF, MF	None
[5—Barrett Slide	Basin	Potter	HQ-CWF, MF	None
5—Mahon Run	Basin	Potter	HQ-CWF, MF	None
5—Berge Run	Basin	Potter	HQ-CWF, MF	None
5—Upper Logue Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Logue Run	Basin	Cameron	HQ-CWF, MF	None
5—Owl Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Norcross Run	Basin	Cameron	HQ-CWF, MF	None
5—Rattlesnake Run	Basin	Cameron	HQ-CWF, MF	None
5—Muley Run	Basin	Cameron	HQ-CWF, MF	None
5—Mill Run	Basin	Cameron	HQ-CWF, MF	None]
4—First Fork Sinnemahoning Creek	Basin, Bailey Run to Lushbaugh Run	Potter	HQ-CWF, MF	None
5—Lushbaugh Run	Basin	Cameron	EV, MF	None
[5—Brooks Run	Basin	Cameron	HQ-CWF, MF	None
5—Little Bailey Run	Basin	Cameron	HQ-CWF, MF	None
5—Short Bend Run	Basin	Cameron	HQ-CWF, MF	None]
4—First Fork Sinnemahoning Creek	Basin, Lushbaugh Run to Stevenson Dam	Potter	HQ-CWF, MF	None
4—First Fork Sinnemahoning Creek	Main Stem, Stevenson Dam to Mouth	Cameron	HQ-TSF, MF	None
5—[Unnamed] Tributaries to First Fork Sinnemahoning Creek	Basins, Stevenson Dam to Mouth	Cameron	HQ-CWF, MF	None
[5—Woodrock Run	Basin	Cameron	HQ-CWF, MF	None
5—Roaring Run	Basin	Cameron	HQ-CWF, MF	None
5—Bronson Run	Basin	Cameron	HQ-CWF, MF	None
5—Joes Run	Basin	Cameron	HQ-CWF, MF	None
5—Guys Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Lick Island Run	Basin	Cameron	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—Pumpkin Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Arksill Run	Basin	Cameron	HQ-CWF, MF	None
5—Pepperhill Run	Basin	Cameron	HQ-CWF, MF	None
5—Riddles Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Whiteoak Run	Basin	Cameron	HQ-CWF, MF	None
5—Board Rock Hollow	Basin	Cameron	HQ-CWF, MF	None
5—Ellicott Run	Basin	Cameron	HQ-CWF, MF	None
4—Wykoff Run	Basin	Cameron	HQ-CWF, MF	None
4—Upper Jerry Run	Basin	Cameron	HQ-CWF, MF	None
4—Lower Jerry Run	Basin	Cameron	HQ-CWF, MF	None
4—Pfoutz Run	Basin	Clinton	HQ-CWF, MF	None
4—Montour Run	Basin	Clinton	HQ-CWF, MF	None
4—Round Island Run	Basin	Clinton	HQ-CWF, MF	None
4—Mill Run	Basin	Clinton	HQ-CWF, MF	None
4—Commissioners Run	Basin	Clinton	HQ-CWF, MF	None
4—Wistar Run	Basin	Clinton	HQ-CWF, MF	None
4—Moccasin Run (Moccasin Falls Run)	Basin	Clinton	HQ-CWF, MF	None
4—Upper Stimpson Run	Basin	Clinton	HQ-CWF, MF	None]
4—Tributaries to Sinnemahoning Creek	Basins, First Fork to Mouth	Cameron-Clinton	HQ-CWF, MF	None
3—Cooks Run	Basin, Source to Onion Run	Clinton	EV, MF	None
4—Onion Run	Basin	Clinton	EV, MF	None
3—Cooks Run	Basin, Onion Run to Crowley Hollow Run	Clinton	HQ-CWF, MF	None
4—Crowley Hollow Run	Basin	Clinton	CWF, MF	None
3—Cooks Run	Basin, Crowley Hollow Run to Mouth	Clinton	CWF, MF	None
[3—Milligan Run	Basin	Clinton	HQ-CWF, MF	None
3—Smith Run	Basin	Clinton	HQ-CWF, MF	None
3—North Smith Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Cooks Run to Fish Dam Run	Clinton	HQ-CWF, MF	None
3—Fish Dam Run	Basin	Clinton	EV, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Fish Dam Run to Kettle Creek	Clinton	HQ-CWF, MF	None
3—Kettle Creek	Basin, Source to Inlet of Kettle Creek Reservoir	Clinton	EV, MF	None
3—Kettle Creek	Basin, Inlet of Kettle Creek Reservoir to Alvin Bush Dam	Clinton	HQ-TSF, MF	None
3—Kettle Creek	Basin, Alvin Bush Dam to Twomile Run	Clinton	TSF, MF	None
4—Twomile Run	Basin, Source to Middle Branch Twomile Run	Clinton	HQ-CWF, MF	None
5—Middle Branch Twomile Run	Basin	Clinton	TSF, MF	None
4—Twomile Run	Basin, Middle Branch to Mouth	Clinton	TSF, MF	None
3—Kettle Creek	Basin, Twomile Run to Mouth	Clinton	TSF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
[3—Dry Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Kettle Creek to Barney Run	Clinton	HQ-CWF, MF	None
3—Barney Run	Basin	Clinton	EV, MF	None
[3—Shintown Run	Basin	Clinton	HQ-CWF, MF	None
3—Hall Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Barney Run to Drury Run	Clinton	HQ-CWF, MF	None
3—Drury Run	Basin, Source to Sandy Run	Clinton	EV, MF	None
4—Sandy Run	Basin	Clinton	HQ-CWF, MF	None
3—Drury Run	Basin, Sandy Run to Woodley Draft	Clinton	HQ-CWF, MF	None
4—Woodley Draft	Basin	Clinton	CWF, MF	None
3—Drury Run	Basin, Woodley Draft to Mouth	Clinton	CWF, MF	None
[3—Brewery Run	Basin	Clinton	HQ-CWF, MF	None
3—Peters Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Drury Run to Paddy Run	Clinton	HQ-CWF, MF	None
3—Paddy Run	Basin	Clinton	EV, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Paddy Run to UNT 23593 at 40° 18' 5.0" N; 77° 43' 36.8" W (known as Boggs Hollow)	Clinton	HQ-CWF, MF	None
3—[Boggs Hollow] UNT 23593	Basin	Clinton	EV, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, UNT 23593 to Young Womans Creek	Clinton	HQ-CWF, MF	None
3—Young Womans Creek	Basin, Source to Left Branch Young Womans Creek	Clinton	EV, MF	None
3—Young Womans Creek	Basin, Left Branch Young Womans Creek to Mouth	Clinton	HQ-CWF, MF	None
[3—Caldwell Run	Basin	Clinton	HQ-CWF, MF	None
3—Dry Run	Basin	Clinton	HQ-CWF, MF	None
3—Hyner Run	Basin	Clinton	HQ-CWF, MF	None
3—Little McCloskey Run	Basin	Clinton	HQ-CWF, MF	None
3—Big McCloskey Run	Basin	Clinton	HQ-CWF, MF	None
3—Huff Run	Basin	Clinton	HQ-CWF, MF	None
3—Schoolhouse Hollow	Basin	Clinton	HQ-CWF, MF	None
3—Goodman Hollow	Basin	Clinton	HQ-CWF, MF	None
3—Johnson Run	Basin	Clinton	HQ-CWF, MF	None
3—Ritchie Run	Basin	Clinton	HQ-CWF, MF	None
3—Green Run	Basin	Clinton	HQ-CWF, MF	None
3—Rattlesnake Run	Basin	Clinton	HQ-CWF, MF	None
3—Grugan Hollow	Basin	Clinton	HQ-CWF, MF	None
3—Mill Run	Basin	Clinton	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Baker Run	Basin	Clinton	HQ-CWF, MF	None
3—McCloskey Run	Basin	Clinton	HQ-CWF, MF	None
3—Ferney Run	Basin	Clinton	HQ-CWF, MF	None
3—East Ferney Run	Basin	Clinton	HQ-CWF, MF	None
3—Holland Run	Basin	Clinton	HQ-CWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Young Womans Creek to Tangascootack Creek	Clinton	HQ-CWF, MF	None
3—[Tangascootak] Tangascootack Creek	[Main Stem] Basin, Source to North Fork Tangascootack Creek	Clinton	CWF, MF	None
[4—Unnamed Tributaries to Tangascootack Creek	Basins	Clinton	CWF, MF	None]
4—North Fork [Tangascootak] Tangascootack Creek	Basin	Clinton	HQ-CWF, MF	None
[4—Bird Run	Basin	Clinton	CWF, MF	None]
3—Tangascootack Creek	Basin, North Fork Tangascootack Creek to Mouth	Clinton	CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Tangascootack Creek to Lick Run	Clinton	HQ-CWF, MF	None
3—Lick Run	Basin, Source to Farthest Upstream Crossing of LR 18011 (SR 1001)	Clinton	EV, MF	None
3—Lick Run	Basin, Farthest Upstream Crossing of LR 18011 to Mouth	Clinton	HQ-CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Lick Run to and including Queens Run	Clinton	HQ-CWF, MF	None
3—Queens Run	Basin	Clinton	HQ-CWF, MF	None
3—[Unnamed] Tributaries to West Branch Susquehanna River	[Queens Run to Pine Creek] Basins, Queens Run to Bald Eagle Creek	Clinton[-Lycoming]	CWF, MF	None
[3—Sugar Run	Basin	Clinton	CWF, MF	None
3—Reeds Run	Basin	Clinton	CWF, MF	None]
3—Bald Eagle Creek	Basin, Source to Laurel Run (at Port Matilda)	Centre	CWF, MF	None
	* * * * *			
3—Bald Eagle Creek	Main Stem, Laurel Run to Nittany Creek	Centre	TSF, MF	None
4—[Unnamed] Tributaries to Bald Eagle Creek	Basins, Laurel Run [to Nittany Creek] (at Port Matilda) to Laurel Run at 40° 51' 47.8" N; 77° 56' 7.3" W	Centre	CWF, MF	None
[4—Mudlick Run	Basin	Centre	CWF, MF	None]
4—Laurel Run	Basin	Centre	EV, MF	None
[4—Dicks Run	Basin	Centre	CWF, MF	None
4—Dewitt Run	Basin	Centre	CWF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Tributaries to Bald Eagle Creek	Basins, Laurel Run to Wallace Run	Centre	CWF, MF	None
4—Wallace Run	Basin, Source to [Unnamed Tributary at Gum Stump] UNT 23105 at 40° 58' 44.2" N; 77° 50' 59.3" W	Centre	EV, MF	None
5—[Unnamed Tributary at Gum Stump] UNT 23105	Basin	Centre	EV, MF	None
4—Wallace Run	Basin, [Unnamed Tributary at Gum Stump] UNT 23105 to Mouth	Centre	HQ-CWF, MF	None
[4—Moose Run	Basin	Centre	CWF, MF	None]
4—Tributaries to Bald Eagle Creek	Basins, Wallace Run to Spring Creek	Centre	CWF, MF	None
4—Spring Creek	Main Stem, Source to PA 550 Bridge	Centre	HQ-CWF, MF	None
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5—UNTs to Spring Creek	Basins, PA 550 Bridge to Mouth	Centre	CWF, MF	None
5—Logan Branch	Basin, Source to [UNT 23007 at RM 7.16] Confluence with Tributary at 40° 49' 56.6"N; 77° 45' 18.8" W	Centre	[CWF, MF] HQ-CWF, MF	None
6—[UNT 23007 at RM 7.16 (locally McBrides Run)] Tributary at 40° 49' 56.6"N; 77° 45' 18.8" W	Basin	Centre	[HQ-CWF, MF] CWF, MF	None
5—Logan Branch	Basin, [UNT 23007] Confluence with Tributary at 40° 49' 56.6"N; 77° 45' 18.8" W to T 371 Bridge	Centre	CWF, MF	None
5—Logan Branch	Main Stem, T-371 Bridge to Mouth	Centre	HQ-CWF, MF	None
6—[Unnamed] Tributaries to Logan Branch	Basins, T-371 Bridge to Mouth	Centre	CWF, MF	None
5—Buffalo Run	Basin, Source to T 942 Bridge at [RM 0.66 (near Coleville)] 40° 54' 35.4" N; 77° 47' 37.3" W	Centre	HQ-CWF, MF	None
5—Buffalo Run	Basin, T 942 Bridge to Mouth	Centre	CWF, MF	None
[4—Antis Run	Basin	Centre	CWF, MF	None]
4—Tributaries to Bald Eagle Creek	Basins, Spring Creek to Nittany Creek	Centre	CWF, MF	None
4—Nittany Creek	Basin, Source to I-80	Centre	CWF, MF	None
4—Nittany Creek	Basin, I-80 to Mouth	Centre	HQ-CWF, MF	None
3—Bald Eagle Creek	Main Stem, Nittany Creek to Mouth	Centre	WWF, MF	None
4—[Unnamed] Tributaries to Bald Eagle Creek	Basins, Nittany Creek to [Mouth] Lick Run	Centre [-Clinton]	CWF, MF	None
[4—Bullit Run	Basin	Centre	CWF, MF	None
4—Greens Run	Basin	Centre	CWF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Lick Run	Basin	Centre	HQ-CWF, MF	None
[4—Hunters Run	Basin	Centre	CWF, MF	None
4—Marsh Creek	Basin	Centre	CWF, MF	None]
4—Tributaries to Bald Eagle Creek	Basins, Lick Run to Beech Creek	Centre	CWF, MF	None
4—Beech Creek				
5—South Fork Beech Creek	Basin, Source to Stinktown Run	Centre	CWF, MF	None
6—Stinktown Run	Basin	Centre	HQ-CWF, MF	None
5—South Fork Beech Creek	Basin, Stinktown Run to Mouth	Centre	CWF, MF	None
5—North Fork Beech Creek	Basin, Source to Confluence with South Fork	Centre	CWF, MF	None
4—Beech Creek	[Main Stem] Basin, Confluence of South and North [Branches to Mouth] Forks to Rock Run	[Clinton-]Centre	CWF, MF	None
[5—UNTs to Beech Creek	Basins, Confluence of South and North Branches to Mouth	Clinton-Centre	CWF, MF	None]
5—Rock Run	Basin	Centre	EV, MF	None
[5—Sandy Run	Basin	Centre	CWF, MF	None
5—Wolf Run	Basin	Centre	CWF, MF	None]
4—Beech Creek	Basin, Rock Run to Panther Run	Centre	CWF, MF	None
5—Panther Run	Basin	Centre	EV, MF	None
[5—Eddy Lick Run	Basin	Centre	CWF, MF	None
5—Logway Run	Basin	Centre	CWF, MF	None
5—Council Run	Basin	Centre	CWF, MF	None]
4—Beech Creek	Basin, Panther Run to Two Rock Run	Centre	CWF, MF	None
5—Two Rock Run	Basin	Centre	EV, MF	None
[5—Three Rock Run	Basin	Centre	CWF, MF	None]
4—Beech Creek	Basin, Two Rock Run to Hayes Run	Centre	CWF, MF	None
5—Hayes Run	Basin	Centre	EV, MF	None
4—Beech Creek	Basin, Hayes Run to Big Run	Centre	CWF, MF	None
5—Big Run				
6—Middle Branch Big Run	Basin, Source to [Thornapple Run] UNT 22666 at 41° 10' 47.7" N; 77° 45' 58.0" W	Clinton	EV, MF	None
7—[Thornapple Run] UNT 22666	Basin	Clinton	CWF, MF	None
6—Middle Branch Big Run	Basin, [Thornapple Run] UNT 22666 to Confluence with East Branch	Clinton	CWF, MF	None
6—East Branch Big Run	Basin, Source to [RM 4.5] a point at 41° 11' 15.5" N; 77° 43' 51.5" W	Clinton	EV, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
6—East Branch Big Run	Basin, [RM 4.5] from the point at 41° 11' 15.5" N; 77° 43' 51.5" W to Confluence with Middle Branch	Clinton	CWF, MF	None
5—Big Run	[Main Stem] Basin, Confluence of Middle and East Branches to [Mouth] West Branch Big Run	Clinton	CWF, MF	None
[6—Unnamed Tributaries to Big Run	Basins, Confluence of Middle and East Branches to Mouth	Clinton	CWF, MF	None]
6—West Branch Big Run	Basin	Clinton	EV, MF	None
5—Big Run	Basin, West Branch Big Run to Mouth	Clinton	CWF, MF	None
4—Beech Creek	Basin, Big Run to Monument Run	Clinton	CWF, MF	None
5—Monument Run	Basin	Clinton	HQ-CWF, MF	None
[5—Twin Run	Basin	Clinton	CWF, MF	None
5—Bitner Run	Basin	Clinton	CWF, MF	None
5—Sugar Run	Basin	Clinton	CWF, MF	None
4—Laurel Run	Basin	Clinton	CWF, MF	None
4—Beech Creek	Basin, Monument Run to Mouth	Clinton	CWF, MF	None]
4—Tributaries to Bald Eagle Creek	Basins, Beech Creek to Fishing Creek	Clinton	CWF, MF	None
4—Fishing Creek	Basin, Source to Cherry Run	Clinton	HQ-CWF, MF	None
5—Cherry Run	Basin	Clinton	EV, MF	None
4—Fishing Creek	[Main Stem, Cherry Run to Long Run] Basin, Cherry Run to Little Fishing Creek	Clinton	HQ-CWF, MF	None
[5—Unnamed Tributaries to Fishing Creek	Basins, Cherry Run to Long Run	Clinton	HQ-CWF, MF	None]
5—Little Fishing Creek	[Main Stem] Basin, Source to Roaring Run	Clinton	HQ-CWF, MF	None
[6—Unnamed Tributaries to Little Fishing Creek	Basins	Centre-Clinton	HQ-CWF, MF	None]
6—Roaring Run	Basin, Source to Camp Krislund	Centre	EV, MF	None
6—Roaring Run	Basin, Camp Krislund to Mouth	Centre	HQ-CWF, MF	None
[5—Cedar Run	Basin	Clinton	HQ-CWF, MF	None]
5—Little Fishing Creek	Basin, Roaring Run to Mouth	Clinton	HQ-CWF, MF	None
4—Fishing Creek	Basin, Little Fishing Creek to Long Run	Clinton	HQ-CWF, MF	None
5—Long Run	Basin	Clinton	HQ-CWF, MF	None
4—Fishing Creek	Basin, Long Run to Mouth	Clinton	CWF, MF	None
4—Tributaries to Bald Eagle Creek	Basins, Fishing Creek to Harveys Run	Clinton	CWF, MF	None

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Tributaries to West Branch Susquehanna River	Basins, Bald Eagle Creek to McElhattan Creek	Clinton	CWF, MF	None
3—McElhattan Creek	Basin, Source to Keller Reservoir Water Supply Intake	Clinton	HQ-CWF, MF	None
3—McElhattan Creek	Basin, Keller Water Supply Intake to Mouth	Clinton	CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, McElhattan Creek to Chatham Run	Clinton	CWF, MF	None
3—Chatham Run	Basin, Source to Chatham Water Co. Intake	Clinton	HQ-CWF, MF	None
3—Chatham Run	Basin, Chatham Water Co. Intake to Mouth	Clinton	CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Chatham Run to Henry Run	Clinton	CWF, MF	None
3—Henry Run	Basin	Clinton	HQ-CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Henry Run to Pine Creek	Clinton	CWF, MF	None
3—Pine Creek	Basin, Source to South Branch Pine Creek	Potter	HQ-CWF, MF	None
4—South Branch Pine Creek	Basin	Potter	HQ-CWF, MF	None
3—Pine Creek	Main Stem, South Branch Pine Creek to Marsh Creek	Tioga	EV, MF	None
4—[Unnamed] Tributaries to Pine Creek	Basins, South Branch Pine Creek to [Marsh Creek] Johnson Brook	Potter [-Tioga]	HQ-CWF, MF	None
4—Johnson Brook	Basin, Source to [Farthest Downstream Crossing of] State Game Lands No. 64 Border at 41° 45' 8.2" N; 77° 37' 59.2" W	Potter	EV, MF	None
4—Johnson Brook	Basin, [Farthest Downstream Crossing of] State Game Lands No. 64 Border at 41° 45' 8.2" N; 77° 37' 59.2" W to Mouth	Potter	HQ-CWF, MF	None
[4—Phoenix Run	Basin	Tioga	HQ-CWF, MF	None
4—Elk Run	Basin	Tioga	HQ-CWF, MF	None
4—Benaure Hollow	Basin	Tioga	HQ-CWF, MF	None]
4—Tributaries to Pine Creek	Basins, Johnson Brook to Long Run	Potter-Tioga	HQ-CWF, MF	None
4—Long Run	Basin	Tioga	CWF, MF	None
[4—Lick Run	Basin	Tioga	HQ-CWF, MF	None
4—Shin Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Painter Run	Basin	Tioga	HQ-CWF, MF	None
4—Steele Run Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Woodruff Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Schanbacher Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Bee Tree Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Herrington Hollow	Basin	Tioga	HQ-CWF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Tributaries to Pine Creek	Basins, Long Run to Marsh Creek	Potter-Tioga	HQ-CWF, MF	None
4—Marsh Creek	[Main Stem, Source to Straight Run	Tioga	WWF, MF	None
5—Unnamed Tributaries to Marsh Creek	Basins, Source to Straight Run	Tioga	CWF, MF	None]
5—Charleston Creek	Basin, Source to Confluence with Morris Branch	Tioga	WWF, MF	None
5—Morris Branch	Basin, Source to Kelsey Creek	Tioga	CWF, MF	None
[5] 6—Kelsey Creek	Basin	Tioga	WWF, MF	None
[5—Horse Thief Run	Basin	Tioga	CWF, MF	None]
5—Morris Branch	Basin, Kelsey Creek to Confluence with Charleston Creek	Tioga	CWF, MF	None
4—Marsh Creek	Main Stem, Confluence of Charleston Creek and Morris Branch to Straight Run	Tioga	WWF, MF	None
5—Tributaries to Marsh Creek	Basins, Confluence of Charleston Creek and Morris Branch to Baldwin Run	Tioga	CWF, MF	None
5—Baldwin Run	Basin	Tioga	HQ-CWF, MF	None
[5—Hibard Hollow	Basin	Tioga	CWF, MF	None
5—Fuller Hollow	Basin	Tioga	CWF, MF	None
5—Wolf Run	Basin	Tioga	CWF, MF	None
5—Heise Run	Basin	Tioga	CWF, MF	None
5—Smith Run	Basin	Tioga	CWF, MF	None
5—Gee Hollow	Basin	Tioga	CWF, MF	None]
5—Tributaries to Marsh Creek	Basins, Baldwin Run to Canada Run	Tioga	CWF, MF	None
5—Canada Run	Basin	Tioga	HQ-CWF, MF	None
[5—Dantz Run	Basin	Tioga	CWF, MF	None]
5—Tributaries to Marsh Creek	Basins, Canada Run to Straight Run	Tioga	CWF, MF	None
5—Straight Run	Basin	Tioga	HQ-CWF, MF	None
4—Marsh Creek	[Main Stem, Straight Run to Mouth] Basin, Straight Run to Asaph Run	Tioga	CWF, MF	None
[5—Unnamed Tributaries to Marsh Creek	Basins, Straight Run to Mouth	Tioga	CWF, MF	None]
5—Asaph Run	Basin	Tioga	HQ-CWF, MF	None
[5—Gray Hollow	Basin	Tioga	CWF, MF	None
5—Kinney Hollow	Basin	Tioga	CWF, MF	None]
4—Marsh Creek	Basin, Asaph Run to Mouth	Tioga	CWF, MF	None
3—Pine Creek	Main Stem, Marsh Creek to Mouth	Lycoming-Clinton	HQ-TSF, MF	None
4—[Unnamed] Tributaries to Pine Creek	Basins, Marsh Creek to [Mouth] Pine Island Run	Tioga-Lycoming-Clinton	HQ-CWF, MF	None
[4—Strap Mill Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Darling Run	Basin	Tioga	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Owassee Slide Run	Basin	Tioga	HQ-CWF, MF	None
4—Pinafore Run	Basin	Tioga	HQ-CWF, MF	None
4—Bear Run	Basin	Tioga	HQ-CWF, MF	None
4—Little Fourmile Run	Basin	Tioga	HQ-CWF, MF	None
4—Fourmile Run	Basin	Tioga	HQ-CWF, MF	None
4—Stowell Run	Basin	Tioga	HQ-CWF, MF	None
4—Burdic Run	Basin	Tioga	HQ-CWF, MF	None
4—Horse Run	Basin	Tioga	HQ-CWF, MF	None
4—Tumbling Run	Basin	Tioga	HQ-CWF, MF	None
4—Little Slate Run	Basin	Tioga	HQ-CWF, MF	None
4—Ice Break Run	Basin	Tioga	HQ-CWF, MF	None
4—Campbells Run	Basin	Tioga	HQ-CWF, MF	None
4—Straight Creek	Basin	Tioga	HQ-CWF, MF	None
4—Good Spring Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Rail Island Run	Basin	Tioga	HQ-CWF, MF	None]
4—Pine Island Run	Basin	Tioga	EV, MF	None
[4—Benjamin Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Dillon Hollow	Basin	Tioga	HQ-CWF, MF	None
4—Clay Mine Run	Basin	Tioga	HQ-CWF, MF	None
4—Water Tank Run	Basin	Tioga	HQ-CWF, MF	None
4—Bohen Run	Basin	Tioga	HQ-CWF, MF	None
4—Stone Quarry Run	Basin	Tioga	HQ-CWF, MF	None
4—Jerry Run	Basin	Tioga	HQ-CWF, MF	None]
4—Tributaries to Pine Creek	Basins, Pine Island Run to Babb Creek	Tioga	HQ-CWF, MF	None
4—Babb Creek	Main Stem	Tioga	CWF, MF	None
		* * *		
4—Trout Run	Basin	Lycoming	HQ-CWF, MF	None
4—Tributaries to Pine Creek	Basins, Babb Creek to Cedar Run	Tioga-Lycoming	HQ-CWF, MF	None
4—Cedar Run	Basin	Lycoming	EV, MF	None
[4—Jacobs Run	Basin	Lycoming	HQ-CWF, MF	None
4—Gamble Run	Basin	Lycoming	HQ-CWF, MF	None
4—Elk Run	Basin	Lycoming	HQ-CWF, MF	None
4—Hilborn Run	Basin	Lycoming	HQ-CWF, MF	None]
4—Tributaries to Pine Creek	Basins, Cedar Run to Slate Run	Lycoming	HQ-CWF, MF	None
4—Slate Run	Basin	Lycoming	EV, MF	None
[4—Little Slate Run	Basin	Lycoming	HQ-CWF, MF	None
4—Naval Run	Basin	Lycoming	HQ-CWF, MF	None
4—Callahan Run	Basin	Lycoming	HQ-CWF, MF	None
4—Bonnell Run	Basin	Lycoming	HQ-CWF, MF	None
4—Wolf Run	Basin	Lycoming	HQ-CWF, MF	None
4—Ross Run	Basin	Lycoming	HQ-CWF, MF	None]
4—Tributaries to Pine Creek	Basins, Slate Run to Mill Run	Lycoming	HQ-CWF, MF	None
4—Mill Run	Basin, Source to Bull Run	Lycoming	EV, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—Bull Run	Basin	Lycoming	HQ-CWF, MF	None
4—Mill Run	Basin, Bull Run to Mouth	Lycoming	HQ-CWF, MF	None
[4—Trout Run	Basin	Lycoming	HQ-CWF, MF	None
4—Miller Run	Basin	Lycoming	HQ-CWF, MF	None
4—Truman Run	Basin	Lycoming	HQ-CWF, MF	None
4—Bluestone Run	Basin	Lycoming	HQ-CWF, MF	None
4—Solomon Run	Basin	Lycoming	HQ-CWF, MF	None
4—Shanty Run	Basin	Lycoming	HQ-CWF, MF	None
4—McClure Run	Basin	Lycoming	HQ-CWF, MF	None
4—Callahan Run	Basin	Lycoming	HQ-CWF, MF	None
4—Browns Run	Basin	Lycoming	HQ-CWF, MF	None
4—Dry Run	Basin	Lycoming	HQ-CWF, MF	None
4—Upper Pine Bottom Run	Basin	Lycoming	HQ-CWF, MF	None
4—Lower Pine Bottom Run	Basin	Lycoming	HQ-CWF, MF	None
4—Bull Run	Basin	Lycoming	HQ-CWF, MF	None]
4—Tributaries to Pine Creek	Basins, Mill Run to Little Pine Creek	Lycoming	HQ-CWF, MF	None
4—Little Pine Creek				
5—Texas Creek (Zimmerman Creek)	Basin, Source to Confluence with Blockhouse Creek	Lycoming	HQ-CWF, MF	None
5—Blockhouse Creek	Basin, Source to Flicks Run	Lycoming	CWF, MF	None
6—Flicks Run	Basin	Lycoming	HQ-CWF, MF	None
5—Blockhouse Creek	Basin, Flicks Run to Confluence with Texas Creek	Lycoming	CWF, MF	None
4—Little Pine Creek	Main Stem, Confluence of Texas and Blockhouse Creeks to Little Pine Creek Dam	Lycoming	CWF, MF	None
5—[Unnamed] Tributaries to Little Pine Creek	Basin, Confluence of Texas and Blockhouse Creeks to [Little Pine Creek Dam] English Run	Lycoming	HQ-CWF, MF	None
[5—Bear Run	Basin	Lycoming	HQ-CWF, MF	None
5—Bonnell Run	Basin	Lycoming	HQ-CWF, MF	None
5—Lick Run	Basin	Lycoming	HQ-CWF, MF	None]
5—English Run	Basin	Lycoming	CWF, MF	None
[5—Coal Run	Basin	Lycoming	HQ-CWF, MF	None
5—Rogers Run	Basin	Lycoming	HQ-CWF, MF	None]
5—Tributaries to Little Pine Creek	Basins, English Run to Otter Run	Lycoming	HQ-CWF, MF	None
5—Otter Run	Basin	Lycoming	CWF, MF	None
[5—Carsons Run	Basin	Lycoming	HQ-CWF, MF	None
5—McKees Run	Basin	Lycoming	HQ-CWF, MF	None
5—Panther Run	Basin	Lycoming	HQ-CWF, MF	None
5—Naval Run	Basin	Lycoming	HQ-CWF, MF	None
5—Love Run	Basin	Lycoming	HQ-CWF, MF	None]
5—Tributaries to Little Pine Creek	Basins, Otter Run to Little Pine Creek Dam	Lycoming	HQ-CWF, MF	None

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Little Pine Creek	Main Stem, Little Pine Creek Dam to Mouth	Lycoming	TSF, MF	None
5—[Unnamed] Tributaries to Little Pine Creek	Basins, Little Pine Creek Dam to Mouth	Lycoming	HQ-CWF, MF	None
[5—English Run	Basin	Lycoming	HQ-CWF, MF	None
5—Boone Run	Basin	Lycoming	HQ-CWF, MF	None
5—Dam Run	Basin	Lycoming	HQ-CWF, MF	None
4—Ramsey Run	Basin	Lycoming	HQ-CWF, MF	None
4—Bonnell Run	Basin	Lycoming	HQ-CWF, MF	None
4—Tombs Run	Basin	Lycoming	HQ-CWF, MF	None
4—Gamble Run	Basin	Lycoming	HQ-CWF, MF	None
4—Furnace Run	Basin	Lycoming	HQ-CWF, MF	None
4—Sulphur Run	Basin	Clinton	HQ-CWF, MF	None
4—Nichols Run	Basin	Lycoming	HQ-CWF, MF	None]
3—[Unnamed] Tributaries to North Bank of West Branch Susquehanna River	Basins, Pine Creek to Loyalsock Creek except Larrys Creek and Lycoming Creek	Lycoming	WWF, MF	None
3—Larrys Creek	Basin, Source to Second Fork Larrys Creek	Lycoming	HQ-CWF, MF	None
4—Second Fork Larrys Creek	Basin	Lycoming	HQ-CWF, MF	None
3—Larrys Creek	Basin, Second Fork to First Fork	Lycoming	WWF, MF	None
4—First Fork Larrys Creek	Basin	Lycoming	HQ-CWF, MF	None
3—Larrys Creek	Basin, First Fork to Mouth	Lycoming	WWF, MF	None
3—Lycoming Creek	Main Stem, Source to Long Run	Lycoming	CWF, MF	None
4—Tributaries to Lycoming Creek	Basins, Source to Red Run	Tioga-Lycoming	HQ-CWF, MF	None
4—Red Run	Basin	Lycoming	CWF, MF	None
4—Tributaries to Lycoming Creek	Basins, Red Run to Long Run	Lycoming	HQ-CWF, MF	None
4—Long Run	Basin	Lycoming	HQ-CWF, MF	None
3—Lycoming Creek	Basin, Long Run to Mouth	Lycoming	WWF, MF	None
3—[Unnamed] Tributaries to South Bank of West Branch Susquehanna River	Basins, Pine Creek to Loyalsock Creek except Aughanbaugh Run, Antes Creek and Big Run	Lycoming	CWF, MF	None
3—Aughanbaugh Run	Basin	Lycoming	HQ-CWF, MF	None
	* * * * *			
3—Antes Creek	Basin, Morgan Valley Run to Mouth	Lycoming	CWF, MF	None
[3—Stewards Run	Basin	Lycoming	WWF, MF	None
3—Larrys Creek	Basin, Source to Second Fork	Lycoming	HQ-CWF, MF	None
4—Second Fork Larrys Creek	Basin	Lycoming	HQ-CWF, MF	None
3—Larrys Creek	Basin, Second Fork to First Fork	Lycoming	WWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—First Fork Larrys Creek	Basin	Lycoming	HQ-CWF, MF	None
3—Larrys Creek	Basin, First Fork to Mouth	Lycoming	WWF, MF	None]
3—Big Run	Basin	Lycoming	HQ-CWF, MF	None
[3—Pine Run	Basin	Lycoming	WWF, MF	None
3—Quenshukeny Run	Basin	Lycoming	WWF, MF	None
3—Bender Run	Basin	Lycoming	CWF, MF	None
3—Daugherty Run	Basin	Lycoming	WWF, MF	None
3—Mosquito Creek	Basin	Lycoming	CWF, MF	None
3—Lycoming Creek	Main Stem, Source to Long Run	Tioga-Lycoming	CWF, MF	None
4—Unnamed Tributaries to Lycoming Creek	Basins, Source to Long Run	Lycoming	HQ-CWF, MF	None
4—Cascade Run	Basin	Lycoming	HQ-CWF, MF	None
4—Sugar Works Run	Basin	Tioga	HQ-CWF, MF	None
4—Mill Creek	Basin	Tioga	HQ-CWF, MF	None
4—Roaring Branch	Basin	Tioga	HQ-CWF, MF	None
4—Abbott Run	Basin	Lycoming	HQ-CWF, MF	None
4—Red Run	Basin	Lycoming	CWF, MF	None
4—Rock Run	Basin	Lycoming	HQ-CWF, MF	None
4—Frozen Run	Basin	Lycoming	HQ-CWF, MF	None
4—Heylmun Run	Basin	Lycoming	HQ-CWF, MF	None
4—Pleasant Stream	Basin	Lycoming	HQ-CWF, MF	None
4—Slacks Run	Basin	Lycoming	HQ-CWF, MF	None
4—Shoemakers Run	Basin	Lycoming	HQ-CWF, MF	None
4—Grays Run	Basin	Lycoming	HQ-CWF, MF	None
4—Hagermans Run	Basin	Lycoming	HQ-CWF, MF	None
4—Glendenen Run	Basin	Lycoming	HQ-CWF, MF	None
4—Trout Run	Basin	Lycoming	HQ-CWF, MF	None
4—Wolf Run	Basin	Lycoming	HQ-CWF, MF	None
4—Daugherty Run	Basin	Lycoming	HQ-CWF, MF	None
4—Hoagland Run	Basin	Lycoming	HQ-CWF, MF	None
4—Long Run	Basin	Lycoming	HQ-CWF, MF	None
3—Lycoming Creek	Basin, Long Run to Mouth	Lycoming	WWF, MF	None
3—Grafius Run	Basin	Lycoming	WWF, MF	None
3—Hagermans Run	Basin	Lycoming	CWF, MF	None
3—Millers Run	Basin	Lycoming	WWF, MF	None]
3—Loyalsock Creek	Basin, Source to Pole Bridge Run	Lycoming	CWF, MF	None
4—Pole Bridge Run	Basin	Sullivan	HQ-CWF, MF	None
3—Loyalsock Creek	[Main Stem, Pole Bridge Creek to Sullivan-Lycoming Border] Basin, Pole Bridge Run to Shanerburg Run	Sullivan [-Lycoming]	CWF, MF	None
[4—Unnamed Tributaries to Loyalsock Creek	Basins, Pole Bridge Creek to Little Loyalsock Creek	Sullivan	CWF, MF	None]

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Shanerburg Run	Basin, Source to [End of Jeep Trail (about 1.5 Miles from Mouth)] a point at 41° 25' 57.5" N; 76° 32' 12.9" W	Sullivan	EV, MF	None
4—Shanerburg Run	Basin, [End of Jeep Trail to Mouth] the point at 41° 25' 57.5" N; 76° 32' 12.9" W to Mouth	Sullivan	HQ-CWF, MF	None
3—Loyalsock Creek	Basin, Shanerburg Run to Tamarack Run	Sullivan	CWF, MF	None
4—Tamarack Run	Basin	Sullivan	HQ-CWF, MF	None
3—Loyalsock Creek	Basin, Tamarack Run to Big Run	Sullivan	CWF, MF	None
4—Big Run	Basin	Sullivan	HQ-CWF, MF	None
[4—Double Run	Basin	Sullivan	CWF, MF	None
4—High Rock Run	Basin	Sullivan	CWF, MF	None
4—Little Loyalsock Creek	Basin	Sullivan	CWF, MF	None]
3—Loyalsock Creek	Basin, Big Run to Little Loyalsock Creek	Sullivan	CWF, MF	None
4—Little Loyalsock Creek	Basin	Sullivan	CWF, MF	None
3—Loyalsock Creek	Main Stem, Little Loyalsock Creek to Sullivan-Lycoming County Border at 41° 24' 7.8" N; 76° 44' 39.5" W	Sullivan	CWF, MF	None
4—[Unnamed] Tributaries to Loyalsock Creek	Basins, Little Loyalsock Creek to [Sullivan-Lycoming County Border] Ketchum Run	Sullivan	HQ-CWF, MF	None
[4—Scar Run	Basin	Sullivan	HQ-CWF, MF	None]
4—Ketchum Run	Basin	Sullivan	EV, MF	None
[4—Cape Run	Basin	Sullivan	HQ-CWF, MF	None
4—Barkshed Run	Basin	Sullivan	HQ-CWF, MF	None
4—Joes Run	Basin	Sullivan	HQ-CWF, MF	None
4—Elk Creek	Basin	Sullivan	HQ-CWF, MF	None
4—Slab Run	Basin	Sullivan	HQ-CWF, MF	None
4—Mill Creek	Basin	Sullivan	HQ-CWF, MF	None
4—Huckle Run	Basin	Sullivan	HQ-CWF, MF	None
4—Dry Run	Basin	Sullivan	HQ-CWF, MF	None]
4—Tributaries to Loyalsock Creek	Basins, Ketchum Run to Ogdonia Creek	Sullivan	HQ-CWF, MF	None
4—Ogdonia Creek	Basin, Source to Kettle Creek	Sullivan	HQ-CWF, MF	None
5—Kettle Creek	Basin	Sullivan	EV, MF	None
4—Ogdonia Creek	Basin, Kettle Creek to Mouth	Sullivan	HQ-CWF, MF	None
4—Tributaries to Loyalsock Creek	Basins, Ogdonia Creek to Sullivan-Lycoming County Border at 41° 24' 7.8" N; 76° 44' 39.5" W	Sullivan	HQ-CWF, MF	None
3—Loyalsock Creek	Main Stem, Sullivan-Lycoming County Border to [Mouth] PA 973 Bridge at 41° 19' 30.8" N; 76° 54' 42.6" W	Lycoming	TSF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—[Unnamed] Tributaries to Loyalsock Creek	[Basin] Basins, Sullivan-Lycoming County Border to [PA 973 Bridge] Plunketts Creek	Lycoming	HQ-CWF, MF	None
4—Plunketts Creek	[Main Stem] Basin, Source to Noon Branch	Lycoming	HQ-CWF, MF	None
[5—Unnamed Tributaries to Plunketts Creek	Basins	Sullivan-Lycoming	HQ-CWF, MF	None
5—Reibsan Run	Basin	Lycoming	HQ-CWF, MF	None
5—Mock Creek	Basin	Lycoming	HQ-CWF, MF	None]
5—Noon Branch	Basin, Source to Wolf Run	Lycoming	EV, MF	None
6—Wolf Run	Basin	Lycoming	HQ-CWF, MF	None
5—Noon Branch	Basin, Wolf Run to Mouth	Lycoming	HQ-CWF, MF	None
4—Plunketts Creek	Basin, Noon Branch to King Run	Lycoming	HQ-CWF, MF	None
5—King Run	Basin, Source to Engle Run	Lycoming	HQ-CWF, MF	None
6—Engle Run	Basin	Lycoming	EV, MF	None
5—King Run	Basin, Engle Run to Mouth	Lycoming	HQ-CWF, MF	None
[5—Dry Run	Basin	Lycoming	HQ-CWF, MF	None
4—Bear Creek	Basin	Lycoming	HQ-CWF, MF	None
4—Little Bear Creek	Basin	Lycoming	HQ-CWF, MF	None
4—Dry Run	Basin	Lycoming	HQ-CWF, MF	None
4—Butternut Grove Run	Basin	Lycoming	HQ-CWF, MF	None
4—Wallis Run	Basin	Lycoming	HQ-CWF, MF	None
4—Unnamed Tributaries to Loyalsock Creek	Basins, PA 973 Bridge to Mouth	Lycoming	TSE, MF	None
4—Mill Creek (West)	Basin	Lycoming	TSE, MF	None
4—Mill Creek (East)	Basin	Lycoming	TSE, MF	None]
4—Plunketts Creek	Basin, King Run to Mouth	Lycoming	HQ-CWF, MF	None
4—Tributaries to Loyalsock Creek	Basins, Plunketts Creek to PA 973 Bridge	Lycoming	HQ-CWF, MF	None
3—Loyalsock Creek	Basin, PA 973 Bridge to Mouth	Lycoming	TSE, MF	None
3—[Unnamed] Tributaries to West Branch Susquehanna River	Basins, Loyalsock Creek to [Mouth] Muncy Creek	Lycoming-Northumberland-Union	WWF, MF	None
[3—Tules Run	Basin	Lycoming	WWF, MF	None
3—Turkeys Run	Basin	Lycoming	WWF, MF	None
3—Carpenters Run	Basin	Lycoming	WWF, MF	None]
3—Muncy Creek	Basin, Source to second SR 2002 Bridge upstream of Sonestown at [RM 26.4] 41° 21' 24.5" N; 76° 31' 34.9" W	Sullivan	EV, MF	None
3—Muncy Creek	Main Stem, Second SR 2002 Bridge upstream of Sonestown [at RM 26.4] to US 220 Bridge at Muncy Valley at 41° 20' 36.3" N; 76° 35' 8.1" W	Sullivan	CWF, MF	None

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—[UNTs] Tributaries to Muncy Creek	Basins, Second SR 2002 Bridge upstream of Sonestown [at RM 26.4] to US 220 Bridge at Muncy Valley	Sullivan	HQ-CWF, MF	None
[4—Slip Run	Basin	Sullivan	HQ-CWF, MF	None
4—Big Run	Basin	Sullivan	HQ-CWF, MF	None]
3—Muncy Creek	Main Stem, US 220 Bridge at Muncy Valley to Mouth	Lycoming	TSF, MF	None
4—[Unnamed] Tributaries to Muncy Creek	Basins, US 220 Bridge at Muncy Valley to Laurel Run	Sullivan-Lycoming	HQ-CWF, MF	None
[4—Trout Run	Basin	Lycoming	HQ-CWF, MF	None
4—Spring Run	Basin	Lycoming	HQ-CWF, MF	None
4—Rock Run	Basin	Lycoming	HQ-CWF, MF	None
4—Lick Run	Basin	Lycoming	HQ-CWF, MF	None
4—Big Run	Basin	Lycoming	HQ-CWF, MF	None
4—Roaring Run	Basin	Lycoming	HQ-CWF, MF	None]
4—Laurel Run	Basin	Lycoming	HQ-CWF, MF	None
4—[Unnamed] Tributaries to Muncy Creek	Basins, Laurel Run to Mouth	Lycoming	CWF, MF	None
[4—Pine Run	Basin	Lycoming	CWF, MF	None
4—Gregs Run	Basin	Lycoming	CWF, MF	None
4—Sugar Run	Basin	Lycoming	CWF, MF	None
4—Little Muncy Creek	Basin	Lycoming	CWF, MF	None
4—Wolf Run	Basin	Lycoming	CWF, MF	None
3—Glade Run	Basin	Lycoming	WWF, MF	None
3—Turkey Run	Basin	Lycoming	WWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Muncy Creek to Black Hole Creek	Lycoming	WWF, MF	None
3—Black Hole Creek	Basin	Lycoming	TSF, MF	None
[3—Black Run	Basin	Lycoming	WWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, Black Hole Creek to White Deer Hole Creek	Lycoming-Northumberland-Union	WWF, MF	None
3—White Deer Hole Creek	Basin, Source to Spring Creek	Union	HQ-CWF, MF	None
4—Spring Creek	Basin	Union	TSF, MF	None
3—White Deer Hole Creek	Basin, Spring Creek to Mouth	Union	TSF, MF	None
[3—Delaware Run	Basin	Northumberland	WWF, MF	None
3—Dry Run	Basin	Northumberland	WWF, MF	None
3—Spring Run	Basin	Northumberland	WWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, White Deer Hole Creek to White Deer Creek	Northumberland-Union	WWF, MF	None
3—White Deer Creek	Basin	Union	HQ-CWF, MF	None
[3—Warrior Run	Basin	Northumberland	WWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Muddy Run	Basin	Northumberland	WWF, MF	None
3—Limestone Run	Basin	Northumberland	WWF, MF	None]
3—Tributaries to West Branch Susquehanna River	Basins, White Deer Creek to Buffalo Creek	Northumberland-Union	WWF, MF	None
3—Buffalo Creek	Basin, Source to LR 59042 (SR 3005) Bridge at 40° 55' 24.0" N; 77° 7' 41.9" W	Union	HQ-CWF, MF	None
3—Buffalo Creek	[Main Stem, LR 59042 to Rapid Run] Basin, LR 59042 Bridge to North Branch Buffalo Creek	Union	CWF, MF	None
[4—Unnamed Tributaries to Buffalo Creek	Basins, LR 59042 Bridge to Rapid Run	Union	CWF, MF	None]
4—North Branch Buffalo Creek	Basin, Source to Mifflinburg Water Supply Dam	Union	EV, MF	None
4—North Branch Buffalo Creek	Basin, Mifflinburg Water Supply Dam to Mouth	Union	HQ-CWF, MF	None
3—Buffalo Creek	Basin, North Branch Buffalo Creek to Rapid Run	Union	CWF, MF	None
4—Rapid Run	Basin	Union	HQ-CWF, MF	None
3—Buffalo Creek	Main Stem, Rapid Run to Mouth	Union	TSF, MF	None
4—[Unnamed] Tributaries to Buffalo Creek	Basins, Rapid Run to [Mouth] Stony Run	Union	CWF, MF	None
4—Stony Run	Basin	Union	HQ-CWF, MF	None
[4—Beaver Run	Basin	Union	CWF, MF	None]
4—Tributaries to Buffalo Creek	Basins, Stony Run to Spruce Run	Union	CWF, MF	None
4—Spruce Run	Basin, Source to eastern boundary of Bald Eagle State Forest at [RM 5.09] 41° 1' 43.8" N; 77° 0' 5.4" W	Union	EV, MF	None
4—Spruce Run	Basin, Eastern boundary of Bald Eagle State Forest [at RM 5.09] to Mouth	Union	HQ-CWF, MF	None
[4—Little Buffalo Creek	Basin	Union	CWF, MF	None
3—Limestone Run	Basin	Union	WWF, MF	None
3—Chillisquaque Creek	Basin	Northumberland	WWF, MF	None
3—Turtle Creek	Basin	Union	WWF, MF	None
3—Winfield Creek	Basin	Union	WWF, MF	None]
4—Tributaries to Buffalo Creek	Basins, Spruce Run to Mouth	Union	CWF, MF	None
3—Tributaries to West Branch Susquehanna River	Basins, Buffalo Creek to Mouth	Northumberland-Union	WWF, MF	None

§ 93.9m. Drainage List M.

Susquehanna River Basin in Pennsylvania
Susquehanna River

Stream	Zone	County					Water Uses Protected	Exceptions To Specific Criteria
		*	*	*	*	*		
4—Kern Run	Basin				Snyder		CWF, MF	None
4—[Bowersox Run] UNT 17823 at 40° 46' 30.7" N; 77° 4' 8.9" W (locally known as Bowersox Run)	Basin, Source to [FAS 690] T3008				Snyder		HQ-CWF, MF	None
4—UNT 17823	Basin, T3008 to Mouth				Snyder		CWF, MF	None
4—[Erb Run] UNT 17821 at 40° 46' 38.9" N; 77° 3' 29.1" W (locally known as Erb Run)	Basin, Source to [FAS 690] T3008				Snyder		HQ-CWF, MF	None
4—UNT 17821	Basin, T3008 to Mouth				Snyder		CWF, MF	None
4—Susquehecka Creek (Freeburg Run)	Basin				Snyder		CWF, MF	None
		*	*	*	*	*		
2—Gurdy Run	Basin				Dauphin		WWF, MF	None
2—Armstrong Creek	Basin, Source to [Unnamed Tributary at RM 9.86] UNT 16835 at 40° 30' 31.1" N; 76° 50' 43.2" W				Dauphin		CWF, MF	None
3—[Unnamed Tributary to Armstrong Creek at RM 9.86] UNT 16835	Basin, Source to SR 1003 Bridge at 40° 29' 45.1" N; 76° 47' 56.8" W				Dauphin		[HW-CWF] HQ-CWF, MF	None
3—[Unnamed Tributary to Armstrong Creek at RM 9.86] UNT 16835	Basin, SR 1003 Bridge to Mouth				Dauphin		CWF, MF	None
2—Armstrong Creek	Basin, [Unnamed Tributary at RM 9.86] UNT 16835 to LR 22028 (SR 4001) Bridge				Dauphin		CWF, MF	None
2—Armstrong Creek	Basin, LR 22028 Bridge to Mouth				Dauphin		TSF, MF	None
		*	*	*	*	*		

§ 93.9n. Drainage List N.

Susquehanna River Basin in Pennsylvania
Juniata River

Stream	Zone	County					Water Uses Protected	Exceptions To Specific Criteria
		*	*	*	*	*		
3—Raystown Branch Juniata River	Basin, Source to Breastwork Run				Somerset		CWF, MF	None
4—Breastwork Run	Basin				Somerset		HQ-CWF, MF	None
3—Raystown Branch Juniata River	Basin, Breastwork Run to Somerset-Bedford County Border at 39° 58' 49.3" N; 78° 45' 41.9" W				Somerset-Bedford		CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Raystown Branch Juniata River	Main Stem, Somerset-Bedford County Border to Bedford-Huntingdon County Border at 40° 13' 49.5" N; 78° 14' 18.2" W	Bedford-Huntingdon	TSF, MF	None
4—[Unnamed] Tributaries to Raystown Branch	Basins, Somerset-Bedford County Border to [Bedford-Huntingdon County Border] Shobers Run	Bedford	WWF, MF	None
[4—Spicer Brook	Basin	Bedford	WWF, MF	None
4—Shawnee Branch	Basin	Bedford	WWF, MF	None
4—Buffalo Run	Basin	Bedford	WWF, MF	None
4—Cumberland Valley Run	Basin	Bedford	WWF, MF	None]
4—Shobers Run	Basin	Bedford	HQ-CWF, MF	None
4—Tributaries to Raystown Branch	Basins, Shobers Run to Dunning Creek	Bedford	WWF, MF	None
4—Dunning Creek	[Main Stem] Basin, Source to Stone Creek	Bedford	WWF, MF	None
[5—Unnamed Tributaries to Dunning Creek	Basins	Bedford	WWF, MF	None
5—Rocklick Creek	Basin	Bedford	WWF, MF	None
5—Bearfoot Run	Basin	Bedford	WWF, MF	None
5—Georges Creek	Basin	Bedford	WWF, MF	None]
5—Stone Creek	Basin, Source to Confluence with UNT 14908 at [RM 0.34] 40° 8' 55" N; 78° 33' 59.5" W	Bedford	WWF, MF	None
6—[Unnamed Tributary (UNT) 14908 to Stone Creek] UNT 14908	Basin	Bedford	CWF, MF	None
5—Stone Creek	Basin, UNT 14908 to Mouth	Bedford	CWF, MF	None
4—Dunning Creek	Basin, Stone Creek to Bobs Creek	Bedford	WWF, MF	None
5—Bobs Creek	Basin, Source to Pavia Run	Bedford	HQ-CWF, MF	None
6—Pavia Run	Basin	Bedford	HQ-CWF, MF	None
5—Bobs Creek	Basin, Pavia Run to Mouth	Bedford	CWF, MF	None
[5—Adams Run	Basin	Bedford	WWF, MF	None
5—Oppenheimer Run	Basin	Bedford	WWF, MF	None
5—Brush Run	Basin	Bedford	WWF, MF	None]
4—Dunning Creek	Basin, Bobs Creek to Imlertown Run	Bedford	WWF, MF	None
5—Imlertown Run	Basin	Bedford	TSF, MF	None
4—Dunning Creek	Basin, Imlertown Run to Pleasant Valley Run	Bedford	WWF, MF	None
5—Pleasant Valley Run	Basin	Bedford	CWF, MF	None
4—Dunning Creek	Basin, Pleasant Valley Run to Mouth	Bedford	WWF, MF	None
4—Tributaries to Raystown Branch	Basins, Dunning Creek to Cove Creek	Bedford	WWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Cove Creek	Basin	Bedford	EV, MF	None
[4—Snakespring Valley Run	Basin	Bedford	WWF, MF	None]
4—Tributaries to Raystown Branch	Basins, Cove Creek to Clear Creek	Bedford	WWF, MF	None
4—Clear Creek	Basin	Bedford	TSF, MF	None
[4—Greys Run	Basin	Bedford	WWF, MF	None]
4—Tributaries to Raystown Branch	Basins, Clear Creek to Brush Creek	Bedford	WWF, MF	None
4—Brush Creek	Basin, Source to Fulton-Bedford County Border at 39° 57' 6.3" N; 78° 14' 20.3" W	Fulton-Bedford	HQ-CWF, MF	None
4—Brush Creek	Basin, Fulton-Bedford County Border to Mouth	Bedford	WWF, MF	None
[4—Tub Mill Run	Basin	Bedford	WWF, MF	None
4—French Run	Basin	Bedford	WWF, MF	None]
4—Tributaries to Raystown Branch	Basins, Brush Creek to Sherman Valley Branch	Bedford	WWF, MF	None
4—Sherman Valley Run	Basin	Bedford	CWF, MF	None
[4—Pipers Run	Basin	Bedford	WWF, MF	None
4—Sandy Run	Basin	Bedford	WWF, MF	None]
4—Tributaries to Raystown Branch	Basins, Sherman Valley Branch to Yellow Creek	Bedford	WWF, MF	None
4—Yellow Creek	Basin	Bedford	HQ-CWF, MF	None
[4—Sixmile Run	Basin	Bedford	WWF, MF	None]
4—Tributaries to Raystown Branch	Basins, Yellow Creek to Ravers Run	Bedford	WWF, MF	None
4—Ravers Run	Basin	Bedford	TSF, MF	None
[4—Shoup Run	Basin	Bedford	WWF, MF	None]
4—Tributaries to Raystown Branch	Basins, Ravers Run to Bedford-Huntingdon County Border at 40° 13' 49.5" N; 78° 14' 18.2" W	Bedford	WWF, MF	None
3—Raystown Branch Juniata River	[Main Stem] Basin, Bedford-Huntingdon County Border to [Mouth] Tatman Run	Huntingdon	WWF, MF	None
[4—Unnamed Tributaries to Raystown Branch	Basins, Bedford-Huntingdon County Border to Mouth	Huntingdon	WWF, MF	None
4—Shy Beaver Creek	Basin	Huntingdon	WWF, MF	None]
4—Tatman Run	Basin	Huntingdon	HQ-CWF, MF	None
[4—Coffee Run	Basin	Huntingdon	WWF, MF	None]
3—Raystown Branch Juniata River	Basin, Tatman Run to Great Trough Creek	Huntingdon	WWF, MF	None
4—Great Trough Creek	Basin	Huntingdon	TSF, MF	None
[4—James Creek	Basin	Huntingdon	WWF, MF	None
4—Hawns Run	Basin	Huntingdon	WWF, MF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Raystown Branch Juniata River	Basin, Great Trough Creek to Mouth	Huntingdon	WWF, MF	None
3—Unnamed Tributaries to Juniata River	Basins, Raystown Branch to Kishacoquillas Creek	Huntingdon-Mifflin	HQ-CWF, MF	None
	* * * * *			

§ 93.9o. Drainage List O.

Susquehanna River Basin in Pennsylvania
Susquehanna River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
	* * * * *			
2—Conodoguinet Creek	Basin, Letterkenny Reservoir Dam to Trout Run	Franklin	CWF, MF	None
3—Trout Run	Basin, Source to Water Supply Dam	Franklin	EV, MF	None
3—Trout Run	Basin, Water Supply Dam to Mouth	Franklin	HQ-CWF, MF	None
2—Conodoguinet Creek	Basin, Trout Run to PA 997 at Roxbury	Franklin	CWF, MF	None
	* * * * *			
3—Old Town Run	Basin	Cumberland	HQ-CWF, MF	None
2—Yellow Breeches Creek	Main Stem, LR 21012 to Mouth	Cumberland-York-Dauphin	CWF, MF	[<i>Delete DO₁</i> <i>Add DO₄</i>] <i>Add DO=Minimum 7.0 mg/L, June 1 to Sept. 30</i>
3—Unnamed Tributaries to Yellow Breeches Creek	Basins, LR 21012 to Mouth	Cumberland-York	CWF, MF	None
	* * * * *			
3—Indiantown Run	Basin, Inlet of Memorial Lake to Mouth	Lebanon	WWF, MF	None
3—Quittapahilla Creek	Basin	Lebanon	TSF, MF	None
3—Bow Creek	Basin	Dauphin	WWF, MF	None
3—Manada Creek	Basin, Source to I-81 at 40° 21' 48.6" N; 76° 42' 20.0" W	Dauphin	CWF, MF	None
3—Manada Creek	Basin, I-81 to Mouth	Dauphin	WWF, MF	None
	* * * * *			
2—Wilson Run	Basin	York	WWF, MF	None
2—Boyd's Run	Basin	York	WWF, MF	None
2—Conestoga River	Basin, Source to UNT 07792 at [RM 43.05] 40° 8' 57.4" N; 76° 5' 24.9" W	Lancaster	WWF, MF	None
3—UNT 07792 to Conestoga River at [RM 43.05] 40° 8' 57.4" N; 76° 5' 24.9" W	Basin	Lancaster	CWF, MF	None
2—Conestoga River	Main Stem, UNT 07792 at [RM 43.05] 40° 8' 57.4" N; 76° 5' 24.9" W downstream to Mouth	Lancaster	WWF, MF	None
3—UNTs to Conestoga River	Basins, UNT 07792 to Mouth	Berks-Lancaster	WWF, MF	None
[3—Muddy Creek	Main Stem, Source to Little Muddy Creek	Lancaster	TSF, MF	None

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Unnamed Tributaries to Muddy Creek	Basins, Source to Little Muddy Creek	Berks-Lancaster	WWF, MF	None]
3—Muddy Creek	Basin, Source to UNT at 40° 13' 9.9" N; 76° 1' 16.7" W	Lancaster	WWF, MF	None
4—UNT at 40° 13' 9.9" N; 76° 1' 16.7" W	Basin	Lancaster	TSF, MF	None
3—Muddy Creek	Main Stem, UNT at 40° 13' 9.9" N; 76° 1' 16.7" W to Little Muddy Creek	Lancaster	TSF, MF	None
4—Unnamed Tributaries to Muddy Creek	Basins, UNT at 40° 13' 9.9" N; 76° 1' 16.7" W to Little Muddy Creek	Lancaster	WWF, MF	None
4—Rock Run	Basin	Lancaster	HQ-TSF, MF	None
	* * * * *			
2—Pequea Creek	Main Stem, PA 897 to Mouth	Lancaster	WWF, MF	None
3—Unnamed Tributaries to Pequea Creek	Basins, PA 897 to Eshleman Run	Lancaster	CWF, MF	None
3—White Horse Run	Basin	Lancaster	WWF, MF	None
3—Umbles Run	Basin	Lancaster	HQ-CWF, MF	None
3—Houston Run	Basin	Lancaster	CWF, MF	None
3—Eshleman Run	Basin	Lancaster	CWF, MF	None
[3—Unnamed Tributaries to Pequea Creek	Basins, Eshleman Run to RM 3.35	Lancaster	WWF, MF	None
3—Unnamed Tributary to Pequea Creek at RM 3.35	Basin	Lancaster	HQ-CWF, MF	None
3—Unnamed Tributaries to Pequea Creek	Basins, RM 3.35 to RM 3.20	Lancaster	WWF, MF	None
3—Unnamed Tributary to Pequea Creek at RM 3.20	Basin	Lancaster	CWF, MF	None
3—Unnamed Tributaries to Pequea Creek	Basins, RM 3.20 to Mouth	Lancaster	WWF, MF	None]
3—Watson Run	Basin	Lancaster	WWF, MF	None
3—Walnut Run	Basin	Lancaster	WWF, MF	None
3—Little Beaver Creek	Basin	Lancaster	TSF, MF	None
3—Big Beaver Creek	Basin	Lancaster	TSF, MF	None
3—Huber Run	Basin	Lancaster	CWF, MF	None
3—Goods Run	Basin	Lancaster	TSF, MF	None
3—Silver Mine Run	Basin	Lancaster	TSF, MF	None
3—Climbers Run	Main Stem	Lancaster	CWF, MF	None
4—Unnamed Tributaries to Climbers Run	Basins	Lancaster	CWF, MF	None
4—Trout Run	Basin	Lancaster	HQ-CWF, MF	None
3—Unnamed Tributaries to Pequea Creek	Basins, Eshleman Run to UNT 07452	Lancaster	WWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—UNT 07452 to Pequea Creek at 39° 54' 20.6" N; 76° 19' 41.8" W	Basin	Lancaster	HQ-CWF, MF	None
3—Unnamed Tributaries to Pequea Creek	Basins, UNT 07452 to UNT 07451	Lancaster	WWF, MF	None
3—UNT 07451 to Pequea Creek at 39° 54' 12.4" N; 76° 19' 43.0" W	Basin	Lancaster	CWF, MF	None
3—Unnamed Tributaries to Pequea Creek	Basins, UNT 07451 to Mouth	Lancaster	WWF, MF	None
2—Otter Creek	Main Stem, Source to Upstream Boundary of State Game Lands No. 83 (T 616)	York	CWF, MF	None
	* * * * *			
2—Octoraro Creek	Main Stem, Confluence of East and West Branches to PA-MD State Border	Lancaster-Chester	WWF[;], MF	None
3—Unnamed Tributaries to Octoraro Creek	Basins, (all sections in PA) Confluence of East and West Branches to [RM 13.60] UNT 07001 at 39° 44' 1.7" N; 76° 5' 32.9" W	Lancaster-Chester	TSF[;], MF	None
3—Tweed Creek	Basin	Chester	TSF[;], MF	None
3—McCreary Run	Basin	Lancaster	HQ-TSF[;], MF	None
3—Blackburn Run	Basin	Chester	TSF[;], MF	None
3—Black Run	Basin, Source to [Unnamed Tributary at RM 2.50] UNT 07006 at 39° 44' 25.5" N; 76° 3' 15.9" W	Chester	EV[;], MF	None
4—[Unnamed Tributary to Black Run at RM 2.50] UNT 07006	Basin	Chester	TSF[;], MF	None
3—Black Run	Basin, [Unnamed Tributary at RM 2.50] UNT 07006 to Mouth	Chester	TSF[;], MF	None
3—Hog Run	Basin	Chester	TSF[;], MF	None
3—[Unnamed Tributary to Octoraro Creek at RM 13.60] UNT 07001 to Octoraro Creek at 39° 44' 1.7" N; 76° 5' 32.9" W	Basin	Chester	EV[;], MF	None
3—Unnamed Tributaries to Octoraro Creek	Basins, [RM 13.60] UNT 07001 to PA-MD State Border	Lancaster-Chester	TSF[;], MF	None
3—Reynolds Run	Basin	Lancaster	[HQ-CWF, MF] HQ-TSF, MF	None
2—Octoraro Creek (MD)				
	* * * * *			

§ 93.9p. Drainage List P.

Ohio River Basin in Pennsylvania
Allegheny River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
1—Ohio River				
2—Allegheny River	[Main Stem, Source to PA-NY State Border] Basin, Source to Woodcock Creek	McKean	CWF	None
[3—Unnamed Tributaries to Allegheny River	Basins (all sections in PA), Source to PA-NY State Border	Potter-McKean	CWF	None]
3—Woodcock Creek	Basin	Potter	HQ-CWF	None
[3—Gross Hollow	Basin	Potter	CWF	None]
2—Allegheny River	Basin, Woodcock Creek to UNT 58543 at 41° 49' 58.8" N; 77° 53' 51.9" W (locally known as Wambold Hollow)	Potter	CWF	None
3—[Wambold Hollow] UNT 58543 (Wambold Hollow)	Basin	Potter	HQ-CWF	None
[3—Pigeon Hollow	Basin	Potter	CWF	None
3—Toombs Hollow	Basin	Potter	CWF	None
3—Kohler Hollow	Basin	Potter	CWF	None]
2—Allegheny River	Basin, UNT 58543 to Dwight Creek	Potter	CWF	None
3—Dwight Creek	Basin	Potter	HQ-CWF	None
[3—Peet Brook	Basin	Potter	CWF	None
3—Lent Hollow	Basin	Potter	CWF	None
3—Prosser Hollow	Basin	Potter	CWF	None
3—Baker Creek	Basin	Potter	CWF	None]
2—Allegheny River	Basin, Dwight Creek to Steer Run	Potter	CWF	None
3—Steer Run	Basin	Potter	HQ-CWF	None
[3—Reese Hollow	Basin	Potter	CWF	None]
2—Allegheny River	Basin, Steer Run to Mill Creek	Potter	CWF	None
3—Mill Creek	Basin, Source to North Hollow	Potter	HQ-CWF	None
3—Mill Creek	Basin, North Hollow to Mouth	Potter	CWF	None
2—Allegheny River	Basin, Mill Creek to Dingman Run	Potter	CWF	None
3—Dingman Run	[Main Stem] Basin	Potter	HQ-CWF	None
[3—Earl Hollow	Basin	Potter	CWF	None
3—Pump Station Hollow	Basin	Potter	CWF	None
3—Elm Flat	Basin	Potter	CWF	None
3—Gleason Hollow	Basin	Potter	CWF	None]
2—Allegheny River	Basin, Dingman Run to Reed Run	Potter	CWF	None
3—Reed Run	Basin	Potter	HQ-CWF	None
[3—Trout Brook	Basin	Potter	CWF	None]
2—Allegheny River	Basin, Reed Run to Laninger Creek	Potter	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Laninger Creek	Basin	Potter	HQ-CWF	None
2—Allegheny River	Basin, Laninger Creek to Fishing Creek	Potter	CWF	None
3—Fishing Creek	[Main Stem] Basin, Source to East Branch Fishing Creek	Potter	CWF	None
[4—Unnamed Tributaries to Fishing Creek	Basins	Potter	CWF	None]
4—East Branch Fishing Creek	Basin	Potter	HQ-CWF	None
[3—Card Creek	Basin	Potter	CWF	None
3—Sartwell Creek	Basin	McKean	CWF	None]
3—Fishing Creek	Basin, East Branch Fishing Creek to Mouth	Potter	CWF	None
2—Allegheny River	Basin, Fishing Creek to Allegheny Portage Creek	Potter-McKean	CWF	None
3—Allegheny Portage Creek	Main Stem, Source to [Brown Hollow] UNT 58235 at 41° 42' 18.6" N; 78° 11' 43.6" W	Potter	TSF	None
4—[Unnamed] Tributaries To Allegheny Portage Creek	Basins, Source to UNT 58235 (locally known as Brown Hollow)	Potter[-McKean]	CWF	None
[4—Planing Mill Hollow	Basin	Potter	CWF	None]
4—[Brown Hollow] UNT 58235	Basin	Potter	HQ-CWF	None
3—Allegheny Portage Creek	Main Stem, [Brown Hollow] UNT 58235 to Scaffold Lick Run	McKean	HQ-CWF	None
[4—Indian Run	Basin	McKean	CWF	None
4—Heath Hollow	Basin	McKean	CWF	None]
4—Tributaries To Allegheny Portage Creek	Basins, UNT 58235 to Fair Run	Potter-McKean	CWF	None
4—Fair Run	Basin	McKean	HQ-CWF	None
[4—Rock Run	Basin	McKean	CWF	None
4—Scaffold Lick Run	Basin	McKean	CWF	None]
4—Tributaries To Allegheny Portage Creek	Basins, Fair Run to Scaffold Lick Run	McKean	CWF	None
4—Scaffold Lick Run	Basin	McKean	CWF	None
3—Allegheny Portage Creek	Main Stem, Scaffold Lick Run to Mouth	McKean	TSF	None
[4—Cady Hollow	Basin	McKean	CWF	None
4—Hamilton Run	Basin	McKean	CWF	None
4—Tramroad Hollow	Basin	McKean	CWF	None
4—Combs Creek	Basin	McKean	CWF	None
3—Lillibridge Creek	Basin	McKean	CWF	None]
4—Tributaries To Allegheny Portage Creek	Basins, Scaffold Lick Run to Mouth	McKean	CWF	None
2—Allegheny River	Basin, Allegheny Portage Creek to Skinner Creek	McKean	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Skinner Creek	Basin	McKean	HQ-CWF	None
[3—Twomile Creek	Basin	McKean	CWF	None
3—Annin Creek	Basin	McKean	CWF	None
3—Rock Run	Basin	McKean	CWF	None
3—Open Brook	Basin	McKean	CWF	None
3—Newell Creek	Basin	McKean	CWF	None]
2—Allegheny River	Basin, Skinner Creek to Potato Creek	McKean	CWF	None
3—Potato Creek				
4—East Branch Potato Creek	[Basins] Basin, Source to Confluence with Havens Run	McKean	HQ-CWF	None
4—Havens Run	Basin, Source to Confluence with East Branch	McKean	CWF	None
3—Potato Creek	Main Stem, Confluence of East Branch and Havens Run to Cole Creek	McKean	TSF	None
4— [Unnamed] Tributaries to Potato Creek	Basins, Confluence of East Branch and Havens Run to [Cole Creek] West Branch Potato Creek	McKean	CWF	None
[4—Indian Run	Basin	McKean	CWF	None
4—Frog Camp Hollow	Basin	McKean	CWF	None
4—Kimball Hollow	Basin	McKean	CWF	None]
4—West Branch Potato Creek	Basin	McKean	HQ-CWF	None
[4—Sackett Hollow	Basin	McKean	CWF	None]
4—Tributaries to Potato Creek	Basins, West Branch Potato Creek to Brewer Run	McKean	CWF	None
4—Brewer Run	Basin	McKean	HQ-CWF	None
[4—Evans Hollow	Basin	McKean	CWF	None]
4—Tributaries to Potato Creek	Basins, Brewer Run to Red Mill Brook	McKean	CWF	None
4—Red Mill Brook	[Main Stem] Basin, Source to UNT 57891 at 41° 42' 42.7" N; 78° 28' 31.6" W (locally known as Wernwag Hollow)	McKean	CWF	None
[5—Unnamed Tributaries to Red Mill Brook	Basins	McKean	CWF	None]
5— [Wernwag Hollow] UNT 57891	Basin	McKean	HQ-CWF	None
[5—Browns Mill Hollow	Basin	McKean	CWF	None
5—Combs Hollow	Basin	McKean	CWF	None]
4—Red Mill Brook	Basin, UNT 57891 to Mouth	McKean	CWF	None
4—Tributaries to Potato Creek	Basins, Red Mill Brook to Colegrove Brook	McKean	CWF	None
4—Colegrove Brook	Basin	McKean	HQ-CWF	None
4—Tributaries to Potato Creek	Basins, Colegrove Brook to Robbins Brook	McKean	CWF	None
4—Robbins Brook	Basin	McKean	HQ-CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
[4—Walcott Brook	Basin	McKean	CWF	None]
4—Tributaries to Potato Creek	Basins, Robbins Brook to Boyer Brook	McKean	CWF	None
4—Boyer Brook	Basin	McKean	HQ-CWF	None
4—Tributaries to Potato Creek	Basins, Boyer Brook to Daly Brook	McKean	CWF	None
4—Daly Brook	Basin	McKean	HQ-CWF	None
4—Tributaries to Potato Creek	Basins, Daly Brook to Marvin Creek	McKean	CWF	None
4—Marvin Creek	[Main Stem] Basin, Source to UNT 57809 at 41° 41' 43.1" N; 78° 36' 1.0" W (locally known as Sherman Run)	McKean	CWF	None
[5—Unnamed Tributaries to Marvin Creek	Basins	McKean	CWF	None]
5— [Sherman Run] UNT 57809	Basin	McKean	HQ-CWF	None
4—Marvin Creek	Basin, UNT 57809 to UNT 57801 at 41° 42' 23.1" N; 78° 35' 4.7" W (locally known as Santeen Run)	McKean	CWF	None
5— [Santeen Run] UNT 57801	Basin	McKean	HQ-CWF	None
[5—Wildcat Hollow	Basin	McKean	CWF	None]
4—Marvin Creek	Basin, UNT 57801 to Warner Brook	McKean	CWF	None
5—Warner Brook	Basin	McKean	HQ-CWF	None
4—Marvin Creek	Basin, Warner Brook to Stanton Brook	McKean	CWF	None
5—Stanton Brook	Basin	McKean	HQ-CWF	None
[5—Bloomster Hollow	Basin	McKean	CWF	None]
4—Marvin Creek	Basin, Stanton Brook to Blacksmith Run	McKean	CWF	None
5—Blacksmith Run	Basin [from] , Source to Smethport Water Intake	McKean	HQ-CWF	None
5—Blacksmith Run	Basin [From] , Smethport Water Intake to Mouth	McKean	CWF	None
4—Marvin Creek	Basin, Blacksmith Run to Mouth	McKean	CWF	None
4—Tributaries to Potato Creek	Basins, Marvin Creek to Cole Creek	McKean	CWF	None
4—Cole Creek	[Basin, Source to South Branch Cole Creek	McKean	CWF	None]
5—South Branch Cole Creek	Basin, Source to Confluence with North Branch	McKean	EV	None
5—North Branch Cole Creek	Basin, Source to Confluence with South Branch	McKean	CWF	None
4—Cole Creek	Basin, [South Branch Cole Creek] Confluence of North and South Branches to Mouth	McKean	CWF	None
3—Potato Creek	Main Stem, Cole Creek to Mouth	McKean	WWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—[Unnamed] Tributaries to Potato Creek	Basins, Cole Creek to Mouth	McKean	CWF	None
[4— Pierce Brook	Basin	McKean	CWF	None
3— Carpenter Creek	Basin	McKean	CWF	None
3— Canfield Creek	Basin	McKean	CWF	None
3— Barden Brook	Basin	McKean	CWF	None
3— Knapp Creek	Main Stem	McKean	CWF	None
4— Unnamed Tributaries to Knapp Creek	Basins	McKean	CWF	None
4— Tram Hollow Run	Basin	McKean	CWF	None
4— Kansas Branch	Basin	McKean	CWF	None
4— South Branch Knapp Creek	Basin	McKean	CWF	None
3— Indian Creek (NY)				
4— Unnamed Tributaries to Indian Creek	Basins (all sections in PA), Source to PA-NY State Border	McKean	CWF	None
3— Indian Creek	Main Stem, PA-NY State Border to Mouth	McKean	CWF	None
4— Unnamed Tributaries to Indian Creek	Basins (all sections in PA), PA-NY State Border to Mouth	McKean	CWF	None
4— North Branch Indian Creek	Basin (all sections in PA)	McKean	CWF	None
3— Mix Creek	Basin (all sections in PA)	McKean	CWF	None
3— McCrea Run	Basin	McKean	CWF	None
3— Tunungwant Creek	Main Stem, Confluence of East and West Branches to PA-NY State Border	McKean	WWF	None
3— McCrea Run	Basin	McKean	CWF	None]
2— Allegheny River	Basin (all sections in PA), Potato Creek to PA-NY State Border at 41° 59' 58.2" N; 78° 21' 0.6" W	McKean	CWF	None
2— Allegheny River (NY)				
3— Unnamed Tributaries to Allegheny River	Basins (all sections in PA), PA-NY State Border to Tunungwant Creek	McKean	CWF	None
3— Oswayo Creek	Basin, Source to [Brizzee Hollow] Hemlock Hollow Run	Potter	CWF	None
4—[Brizzee Hollow] Hemlock Hollow Run (locally known as Brizzee Hollow)	Basin	Potter	HQ-CWF	None
3— Oswayo Creek	Basin, [Brizzee Hollow] Hemlock Hollow Run to South Branch Oswayo Creek	Potter	HQ-CWF	None
4— South Branch Oswayo Creek	Basin	Potter	EV	None
3— Oswayo Creek	Basin, South Branch Oswayo Creek to Clara Creek	Potter	HQ-CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Clara Creek	Basin, Source to Bradley Run	Potter	CWF	None
5—Bradley Run	Basin	Potter	HQ-CWF	None
4—Clara Creek	Basin, Bradley Run to Mouth	Potter	CWF	None
3—Oswayo Creek	[Main Stem, Clara Creek to Honeoye Creek] Basin, Clara Creek to Elevenmile Creek	Potter	CWF	None
[4—Unnamed Tributaries to Oswayo Creek	Basins, Clara Creek to Honeoye Creek	Potter	CWF	None
4—Clara Creek	Main Stem	Potter	CWF	None
5—Unnamed Tributaries to Clara Creek	Basins	Potter	CWF	None
5—Bradley Run	Basin	Potter	HQ-CWF	None]
4—Elevenmile Creek	Basin	Potter	HQ-CWF	None
[4—Canada Run	Basin	Potter	CWF	None
4—Wildcat Creek	Basin	Potter	CWF	None]
3—Oswayo Creek	Basin, Elevenmile Creek to Cow Run	Potter	CWF	None
4—Cow Run	Basin	Potter	HQ-CWF	None
3—Oswayo Creek	Basin, Cow Run to Honeoye Creek	Potter	CWF	None
4—Honeoye Creek (NY)				
5—[Unnamed] Tributaries to Honeoye Creek	Basins (all sections in PA), Source to PA-NY State Border at 41° 59' 58.2" N; 78° 1' 53.1" W	Potter	CWF	None
4—Honeoye Creek	[Main Stem, PA-NY State Border to Mouth] Basin (all sections in PA), PA-NY State Border at 42° 0' 1.1" N; 78° 6' 34.4" W to Butter Creek	Potter	CWF	None
[5—Unnamed Tributaries to Honeoye Creek	Basins (all sections in PA), PA-NY State Border to Mouth	Potter	CWF	None]
5—Butter Creek	Basin	Potter	HQ-CWF	None
[5—Plank Creek	Basin	Potter	CWF	None]
4—Honeoye Creek	Basin (all sections in PA), Butter Creek to Mouth	Potter	CWF	None
3—Oswayo Creek	Main Stem, Honeoye Creek to PA-NY State Border at 41° 59' 57.7" N; 78° 18' 9.2" W	McKean	WWF	None
4—[Unnamed] Tributaries to Oswayo Creek	Basins (all sections in PA), Honeoye Creek to [PA-NY State Border] Janders Run	Potter-McKean	CWF	None
4—Janders Run	Basin	McKean-Potter	HQ-CWF	None
[4—Horse Run	Basin (all sections in PA)	McKean	CWF	None]
4—Tributaries to Oswayo Creek	Basins (all sections in PA), Janders Run to Bell Run	Potter-McKean	CWF	None
4—Bell Run	[Main Stem] Basin, Source to Taylor Brook	McKean	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
[5—Unnamed Tributaries to Bell Run	Basins	McKean	CWF	None
5—Shaytown Branch	Basin	Potter	CWF	None
5—Chapman Brook	Basin	McKean	CWF	None]
5—Taylor Brook	Basin	McKean	HQ-CWF	None
[4—Kings Run	Basin	McKean	CWF	None]
4—Bell Run	Basin, Taylor Brook to Mouth	McKean	CWF	None
4—Tributaries to Oswayo Creek	Basins (all sections in PA), Bell Run to Mouth	Potter-McKean	CWF	None
3—Oswayo Creek (NY)				
4—[Unnamed] Tributaries to Oswayo Creek	Basins (all sections in PA), PA-NY State Border at 41° 59' 57.7" N; 78° 18' 9.2" W to Mouth	McKean	CWF	None
3—Tunungwant Creek				
4—East Branch Tunungwant Creek	Basin, Source to Railroad Run	McKean	HQ-CWF	None
5—Railroad Run	Basin	McKean	EV	None
4—East Branch Tunungwant Creek	Basin, Railroad Run to T-331 Bridge at 41° 53' 10.3" N; 78° 39' 18.1" W	McKean	HQ-CWF	None
4—East Branch Tunungwant Creek	Main Stem, T-331 Bridge to SR 4002 Bridge at 41° 55' 46.1" N; 78° 38' 51.3" W	McKean	HQ-CWF	None
5—[Unnamed] Tributaries to East Branch Tunungwant Creek	Basins, T-331 Bridge to [SR 4002] Minard Run	McKean	CWF	None
[5—Sheppard Run	Basin	McKean	CWF	None]
5—Minard Run	Basin	McKean	EV	None
5—Tributaries to East Branch Tunungwant Creek	Basins, Minard Run to SR 4002	McKean	CWF	None
4—East Branch Tunungwant Creek	Basin, SR 4002 to Confluence with West Branch	McKean	CWF	None
4—West Branch Tunungwant Creek	Basin, Source to Marilla Brook	McKean	HQ-CWF	None
5—Marilla Brook	Basin, [Above] Source to Bradford Water Dam	McKean	HQ-CWF	None
5—Marilla Brook	[Main Stem, Bradford Water Dam to Mouth] Basin, Bradford Water Dam to Gilbert Brook	McKean	CWF	None
[6—Unnamed Tributaries to Marilla Brook	Basins, Bradford Water Dam to Mouth	McKean	CWF	None]
6—Gilbert Brook	Basin	McKean	HQ-CWF	None
5—Marilla Brook	Basin, Gilbert Brook to Mouth	McKean	CWF	None
4—West Branch Tunungwant Creek	Basin, Marilla Brook to Confluence with East Branch	McKean	CWF	None
3—Tunungwant Creek	Main Stem, Confluence of East and West Branches to PA-NY State Border at 41° 59' 59.1" N; 78° 37' 21.7" W	McKean	WWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—[Unnamed] Tributaries to Tunungwant Creek	Basins (all sections in PA), Confluence of East and West Branches to [PA-NY State Border] Kendall Creek	McKean	CWF	None
4—Kendall Creek	Basin	McKean	WWF	None
[4— Bolivar Run	Basin (all sections in PA)	McKean	CWF	None
4— Foster Brook	Basin (all sections in PA)	McKean	CWF	None]
4— Tributaries to Tunungwant Creek	Basins (all sections in PA), Kendall Creek to PA-NY State Border	McKean	CWF	None
3—Tunungwant Creek (NY)				
4—[Unnamed] Tributaries to Tunungwant Creek	Basins (all sections in PA) PA-NY State Border to Mouth	McKean	CWF	None

§ 93.9q. Drainage List Q.

Ohio River Basin in Pennsylvania
Allegheny River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
1—Ohio River				
2—Allegheny River (NY)				
3—Unnamed Tributaries to Allegheny River	Basins (all sections in PA), Tunungwant Creek to PA-NY State Border at 41° 59' 55.4" N; 78° 57' 14.6" W	McKean-Warren	CWF	None
3—Quaker Run (NY)				
4—[Unnamed] Tributaries to Quaker Run	Basins (all sections in PA)	McKean	HQ-CWF	None
[4— Willis Creek	Basin (all sections in PA)	McKean	HQ-CWF	None
4— Coon Run	Basin (all sections in PA)	McKean	HQ-CWF	None
4— Yeager Brook	Basin (all sections in PA)	McKean	HQ-CWF	None]
3—Wolf Run	Basin, (all sections in PA)	McKean	HQ-CWF	None
3—State Line Run	Basin (all sections in PA)	Warren	CWF	None
2—Allegheny River	Main Stem, PA-NY State Border at 41° 59' 55.4" N; 78° 57' 14.6" W to Clarion River	Clarion	WWF	None
3—[Unnamed] Tributaries to Allegheny River	Basins, PA-NY State Border to [French Creek] Willow Creek	[Venango] Warren	CWF	None
3—Willow Creek	Basin (all sections in PA)	Warren	HQ-CWF	None
[3— Carr Brook	Basin	Warren	CWF	None
3— Hooks Brook	Basin	Warren	CWF	None
3— Williams Brook	Basin	Warren	CWF	None
3— Tracy Run	Basin	Warren	CWF	None]
3— Tributaries to Allegheny River	Basins, Willow Creek to Cornplanter Run	Warren	CWF	None
3—Cornplanter Run	Basin	Warren	HQ-CWF	None
[3— Whisky Run	Basin	Warren	CWF	None
3— Johnnycake Run	Basin	Warren	CWF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Tributaries to Allegheny River	Basins, Cornplanter Run to Hodge Run	Warren	CWF	None
3—Hodge Run	Basin	Warren	HQ-CWF	None
3—Tributaries to Allegheny River	Basins, Hodge Run to Sugar Run	Warren	CWF	None
3—Sugar Run	Basin	Warren	HQ-CWF	None
[3—Billies Run	Basin	Warren	CWF	None]
3—Tributaries to Allegheny River	Basins, Sugar Run to Kinzua Creek	Warren	CWF	None
3—Kinzua Creek	Basin, Source to Wintergreen Run	McKean	CWF	None
4—Wintergreen Run	Basin	McKean	CWF	None
3—Kinzua Creek	Main Stem, Wintergreen Run to Mouth	Warren	CWF	None
4—[Unnamed] Tributaries to Kinzua Creek	Basins, Wintergreen Run to [Mouth] South Branch Kinzua Creek	McKean [-Warren]	HQ-CWF	None
[4—Windfall Run	Basin	McKean	HQ-CWF	None
4—Camp Run	Basin	McKean	HQ-CWF	None
4—Turnup Run	Basin	McKean	HQ-CWF	None
4—Thundershower Run	Basin	McKean	HQ-CWF	None
4—Libby Run	Basin	McKean	HQ-CWF	None
4—Whiting Run	Basin	McKean	HQ-CWF	None
4—Markham Run	Basin	McKean	HQ-CWF	None
4—Meade Run	Basin	McKean	HQ-CWF	None
4—Little Meade Run	Basin	McKean	HQ-CWF	None
4—Root Run	Basin	McKean	HQ-CWF	None]
4—South Branch Kinzua Creek	[Main Stem] Basin, Source to Hubert Run	McKean	HQ-CWF	None
[5—Unnamed Tributaries to South Branch Kinzua Creek	Basins	McKean	HQ-CWF	None
5—Glad Run	Basin	McKean	HQ-CWF	None
5—Watermill Run	Basin	McKean	HQ-CWF	None]
5—Hubert Run	Basin	McKean	CWF	None
4—South Branch Kinzua Creek	Basin, Hubert Run to Mouth	McKean	HQ-CWF	None
[4—Mud Lick Run	Basin	McKean	HQ-CWF	None]
4—Tributaries to Kinzua Creek	Basins, South Branch Kinzua Creek to Chappel Fork	McKean	HQ-CWF	None
4—Chappel Fork	Main Stem	McKean	CWF	None
5—[Unnamed] Tributaries to Chappel Fork	Basins, Source to Mouth	McKean	HQ-CWF	None
[5—Buck Lick Run	Basin	McKean	HQ-CWF	None
5—Crary Run	Basin	McKean	HQ-CWF	None
5—White Gravel Creek	Basin	McKean	HQ-CWF	None
5—Bump Run	Basin	McKean	HQ-CWF	None
5—North Fork	Basin	McKean	HQ-CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—Coon Run	Basin	McKean	HQ-CWF	None
5—Briggs Run	Basin	McKean	HQ-CWF	None
5—Hemlock Run	Basin	McKean	HQ-CWF	None
4—Morrison Run	Basin	McKean	HQ-CWF	None
4—Dutchman Run	Basin	McKean	HQ-CWF	None
4—Dewdrop Run	Basin	Warren	HQ-CWF	None
4—Campbell Run	Basin	Warren	HQ-CWF	None
4—Wolf Run	Basin	Warren	HQ-CWF	None]
4—Tributaries to Kinzua Creek	Basins, Chappel Fork to Mouth	McKean-Warren	HQ-CWF	None
3—Tributaries to Allegheny River	Basins, Kinzua Creek to Jackson Run	Warren	CWF	None
3—Jackson Run	Basin	Warren	HQ-CWF	None
3—Tributaries to Allegheny River	Basins, Jackson Run to Bent Run	Warren	CWF	None
3—Bent Run	Basin	Warren	HQ-CWF	None
3—Tributaries to Allegheny River	Basins, Bent Run to Hemlock Run	Warren	CWF	None
3—Hemlock Run	Basin	Warren	HQ-CWF	None
3—Tributaries to Allegheny River	Basins, Hemlock Run to Browns Run	Warren	CWF	None
3—Browns Run	Basin, Source to Dutchman Run * * * * *	Warren	EV	None
3—Browns Run	Basin, Morrison Run to Mouth	Warren	CWF	None
3—Tributaries to Allegheny River	Basins, Browns Run to Glade Run	Warren	CWF	None
3—Glade Run	Basin, Source to Concrete Channel	Warren	CWF	None
3—Glade Run	Basin, Concrete Channel at 41° 49' 48.1" N; 79° 7' 11.7" W to Mouth [, (a distance of approximately 1,500 ft)]	Warren	WWF	None
[3—Ott Run	Basin	Warren	CWF	None]
3—Tributaries to Allegheny River	Basins, Glade Run to Conewango Creek	Warren	CWF	None
3—Conewango Creek (NY)				
4—[Unnamed] Tributaries to Conewango Creek	Basins (all sections in PA), Source to PA-NY State Border at 41° 59' 58.6" N; 79° 8' 43.0" W	Warren	CWF	None
[4—Stillwater Creek	Basin (all sections in PA)	Warren	CWF	None
4—Kiantone Creek	Basin (all sections in PA)	Warren	CWF	None]
3—Conewango Creek	Main Stem, PA-NY State Border to Mouth	Warren	WWF	None
4—[Unnamed] Tributaries to Conewango Creek	Basins (all sections in PA), PA-NY State Border to [Mouth] North Branch Akeley Run	Warren	CWF	None
[4—Wiltsie Run	Basin	Warren	CWF	None
4—Storehouse Run	Basin (all sections in PA)	Warren	CWF	None
4—Johnny Run	Basin	Warren	CWF	None]

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—North Branch Akeley Run	[Main Stem] Basin, Source to Vanarsdale Run	Warren	CWF	None
[5—Unnamed Tributaries to North Branch Akeley Run	Basins	Warren	CWF	None]
5—Vanarsdale Run	Basin	Warren	HQ-CWF	None
4—North Branch Akeley Run	Basin, Vanarsdale Run to Mouth	Warren	CWF	None
4—Tributaries to Conewango Creek	Basins, North Branch Akeley Run to Akeley Run	Warren	CWF	None
4—Akeley Run	[Main Stem] Basin, Source to Mill Run	Warren	CWF	None
[5—Unnamed Tributaries to Akeley Run	Basins	Warren	CWF	None
5—Reynolds Run	Basin	Warren	CWF	None]
5—Mill Run	Basin	Warren	HQ-CWF	None
[5—Widdlefield Run	Basin	Warren	CWF	None
5—Wolcott Run	Basin	Warren	CWF	None
4—Rhine Run	Basin	Warren	CWF	None
4—Dougherty Run	Basin	Warren	CWF	None
4—Hatch Run	Basin	Warren	CWF	None
4—Jackson Run	Basin	Warren	CWF	None
3—Sill Run	Basin	Warren	CWF	None]
4—Akeley Run	Basin, Mill Run to Mouth	Warren	CWF	None
4—Tributaries to Conewango Creek	Basins, Akeley Run to Mouth	Warren	CWF	None
3—Tributaries to Allegheny River	Basins, Conewango Creek to Morse Run	Warren	CWF	None
3—Morse Run	Basin	Warren	HQ-CWF	None
[3—Grunder Run	Basin	Warren	CWF	None
3—Scott Run	Basin	Warren	CWF	None]
3—Tributaries to Allegheny River	Basins, Morse Run to Brokenstraw Creek	Warren	CWF	None
3—Brokenstraw Creek (NY)				
4—[Unnamed] Tributaries to Brokenstraw Creek	Basins (all sections in PA), Source to PA-NY State Border at 41° 59' 55.7" N; 79° 37' 19.0" W	Erie-Warren	CWF	None
3—Brokenstraw Creek	[Main Stem, PA-NY State Border to Mouth] Basin, PA-NY State Border to Hare Creek	Warren	CWF	None
[4—Unnamed Tributaries to Brokenstraw Creek	Basins (all sections in PA), PA-NY State Border to Mouth	Erie-Warren	CWF	None
4—Coffee Creek	Basin (all sections in PA)	Warren	CWF	None
4—Whites Run	Basin	Warren	CWF	None]
4—Hare Creek	Basin, Source to Scotia Street Bridge [(Corry Borough)] at 41° 56' 30.1" N; 79° 38' 37.3" W	Warren	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Hare Creek	Main Stem, Scotia Street Bridge to Mouth	Warren	WWF	None
5—[Unnamed] Tributaries to Hare Creek	Basins, Scotia Street Bridge to Mouth	Warren-Erie	CWF	None
[4—Damon Run	Basin	Warren	CWF	None]
3—Brokenstraw Creek	Basin, Hare Creek to Spring Creek	Warren	CWF	None
4—Spring Creek	Basin	Warren	HQ-CWF	None
[4—Gar Run	Basin	Warren	CWF	None]
3—Brokenstraw Creek	Basin, Spring Creek to Blue Eye Run	Warren	CWF	None
4—Blue Eye Run	Basin, Source to SR 0027 Bridge at 41° 49' 7.9" N; 79° 25' 44.1" W	Warren	EV	None
4—Blue Eye Run	Basin, SR 0027 Bridge to mouth	Warren	CWF	None
[4—Little Brokenstraw Creek	Basin (all sections in PA)	Warren	CWF	None
4—Andrews Run	Basin	Warren	CWF	None
4—Mead Run	Basin	Warren	CWF	None
4—Mathews Run	Basin	Warren	CWF	None
4—Indian Camp Run	Basin	Warren	CWF	None
4—McKinney Run	Basin	Warren	CWF	None
4—Irvine Run	Basin	Warren	CWF	None
3—Lenhart Run	Basin	Warren	CWF	None
3—Sulphur Run	Basin	Warren	CWF	None
3—Dunn Run	Basin	Warren	CWF	None
3—Charley Run	Basin	Warren	CWF	None]
3—Brokenstraw Creek	Basin (all sections in PA), Blue Eye Run to Mouth	Warren	CWF	None
3—Tributaries to Allegheny River	Basins, Brokenstraw Creek to Hedgehog Run	Warren	CWF	None
3—Hedgehog Run	Basin	Warren	HQ-CWF	None
[3—Clark Run	Basin	Warren	CWF	None
3—Dry Run	Basin	Warren	CWF	None
3—Thompson Run	Basin	Warren	CWF	None]
3—Tributaries to Allegheny River	Basins, Hedgehog Run to Slater Run	Warren	CWF	None
3—Slater Run	Basin	Warren	HQ-CWF	None
[3—Little Run	Basin	Warren	CWF	None
3—Conklin Run	Basin	Warren	CWF	None
3—Station Run	Basin	Warren	CWF	None
3—Connelly Run	Basin	Warren	CWF	None
3—Alex Magee Run	Basin	Warren	CWF	None
3—Perry Magee Run	Basin	Warren	CWF	None
3—Waid Run	Basin	Warren	CWF	None
3—Snow Run	Basin	Warren	CWF	None
3—Bimber Run	Basin	Warren	CWF	None
3—Potter Run	Basin	Warren	CWF	None

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—McGuire Run	Basin	Warren	CWF	None]
3—Tributaries to Allegheny River	Basins, Slater Run to Tidioute Creek	Warren	CWF	None
3—Tidioute Creek	Basin, Source to Ben George Reservoir Dam	Warren	HQ-CWF	None
3—Tidioute Creek	Basin, Ben George Reservoir Dam to Mouth	Warren	CWF	None
[3—Gordon Run	Basin	Warren	CWF	None
3—Myers Run	Basin	Warren	CWF	None
3—Grove Run	Basin	Warren	CWF	None
3—Dale Run	Basin	Warren	CWF	None
3—Dunn Run	Basin	Warren	CWF	None
3—Schwab Run	Basin	Forest	CWF	None
3—Jones Run	Basin	Forest	CWF	None]
3—Tributaries to Allegheny River	Basins, Tidioute Creek to East Hickory Creek	Warren-Forest	CWF	None
3—East Hickory Creek	Basin, Source to Forest Highway 119 at 41° 38' 30.9" N; 79° 20' 16.4" W	Warren	EV	None
3—East Hickory Creek	Basin, Forest Highway 119 to Mouth	Forest	HQ-CWF	None
[3—Siggins Run	Basin	Forest	CWF	None]
3—Tributaries to Allegheny River	Basins, East Hickory Creek to Little Hickory Run	Forest	CWF	None
3—Little Hickory Run	Basin	Forest	HQ-CWF	None
3—Tributaries to Allegheny River	Basins, Little Hickory Run to West Hickory Creek	Forest	CWF	None
3—West Hickory Creek	Basin, Source to Martin Run	Forest	HQ-CWF	None
4—Martin Run	Basin	Forest	CWF	None
3—West Hickory Creek	Basin, Martin Run to Mouth	Forest	CWF	None
[3—Dawson Run	Basin	Forest	CWF	None
3—Sibbald Run	Basin	Forest	CWF	None]
3—Tributaries to Allegheny River	Basins, West Hickory Creek to Tubbs Run	Forest	CWF	None
3—Tubbs Run	Basin	Forest	HQ-CWF	None
[3—Jamison Run	Basin	Forest	CWF	None
3—Hunter Run	Basin	Forest	CWF	None]
3—Tributaries to Allegheny River	Basins, Tubbs Run to Tionesta Creek	Forest	CWF	None
3—Tionesta Creek				
3—West Branch Tionesta Creek	[Main Stem, Source to Farnsworth Branch] Basin, Source to Wildcat Run	Warren	HQ-CWF	None
[4—Unnamed Tributaries to West Branch Tionesta Creek	Basins, Source to Farnsworth Branch	Warren	HQ-CWF	None
4—Tom Run	Basin	Warren	HQ-CWF	None
4—Jones Run	Basin	Warren	HQ-CWF	None
4—Shaw Run	Basin	Warren	HQ-CWF	None]
4—Wildcat Run	Basin	Warren	EV	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
[4—Adams Run	Basin	Warren	HQ-CWF	None
4—Elkhorn Run	Basin	Warren	HQ-CWF	None
4—Mead Run	Basin	Warren	HQ-CWF	None]
3—West Branch Tionesta Creek	Basin, Wildcat Run to Farnsworth Branch	Warren	HQ-CWF	None
4—Farnsworth Branch	Basin	Warren	HQ-CWF	None
4—West Branch Tionesta Creek	[Main Stem, Farnsworth Branch to Confluence with South Branch] Basin, Farnsworth Branch to Arnot Run	[Forest] Warren	CWF	None
[5—Unnamed Tributaries to West Branch Tionesta Creek	Basins, Farnsworth Branch to Confluence with South Branch	Warren	CWF	None
5—Pacard Run	Basin	Warren	CWF	None]
5—Arnot Run	Basin	Warren	EV	None
4—West Branch Tionesta Creek	Basin, Arnot Run to Sixmile Run	Warren	CWF	None
5—Sixmile Run	Basin	Warren	HQ-CWF	None
4—West Branch Tionesta Creek	Basin, Sixmile Run to Fourmile Run	Warren	CWF	None
5—Fourmile Run	Basin	Warren	HQ-CWF	None
[5—Dunham Run	Basin	Warren	CWF	None]
4—West Branch Tionesta Creek	Basin, Fourmile Run to Twomile Run	Warren	CWF	None
5—Twomile Run	Basin	Warren	HQ-CWF	None
[5—Dodge Run	Basin	Warren	CWF	None]
4—West Branch Tionesta Creek	Basin, Twomile Run to South Branch Tionesta Creek	Warren	CWF	None
4—South Branch Tionesta Creek	[Main Stem, Source to Confluence with West Branch] Basin, Source to Crane Run	Warren	HQ-CWF	None
[5—UNTs to South Branch Tionesta Creek	Basins	Elk-Forest-Warren	HQ-CWF	None
5—Martin Run	Basin	Elk	HQ-CWF	None
5—Wolf Run	Basin	Elk	HQ-CWF	None
5—Coon Run	Basin	Elk	HQ-CWF	None
5—Chaffee Run	Basin	Elk	HQ-CWF	None]
5—Crane Run	Basin	Elk	EV	None
[5—Iron Run	Basin	Forest	HQ-CWF	None
5—Fork Run	Basin	Forest	HQ-CWF	None
5—Bogus Run	Basin	Forest	HQ-CWF	None
5—Rock Run	Basin	Forest	HQ-CWF	None
5—Tuttle Run	Basin	Forest	HQ-CWF	None
5—Cherry Run	Basin	Warren	HQ-CWF	None
5—Martin Run	Basin	Warren	HQ-CWF	None
5—East Branch Tionesta Creek	Basin	Warren	HQ-CWF	None]
4—South Branch Tionesta Creek	Basin, Crane Run to Mouth	Warren	HQ-CWF	None

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Tionesta Creek	[Main Stem, Confluence of West and South Branches to Mouth] Basin, Confluence of West and South Branches to Messenger Run	[Forest] Warren	CWF	None
[4—Unnamed Tributaries to Tionesta Creek	Basins, Confluence of West and South Branches to Mouth	Warren-Forest	CWF	None
4—Rock Run	Basin	Warren	CWF	None
4—Duck Eddy Run	Basin	Warren	CWF	None
4—Pell Run	Basin	Warren	CWF	None]
4—Messenger Run	Basin	Warren	EV	None
[4—Mead Run	Basin	Warren	CWF	None
4—Thad Shanty Run	Basin	Forest	CWF	None]
3—Tionesta Creek	Basin, Messenger Run to Bluejay Creek	Warren-Forest	CWF	None
4—Bluejay Creek	Basin	Forest	HQ-CWF	None
[4—Rocky Run	Basin	Forest	CWF	None
4—Bush Creek	Basin	Forest	CWF	None
4—Martin Run	Basin	Forest	CWF	None
4—Hastings Run	Basin	Forest	CWF	None
4—Reagan Run	Basin	Forest	CWF	None]
3—Tionesta Creek	Basin, Bluejay Creek to Upper Sheriff Run	Forest	CWF	None
4—Upper Sheriff Run	Basin	Forest	HQ-CWF	None
3—Tionesta Creek	Basin, Upper Sheriff Run to Lower Sheriff Run	Forest	CWF	None
4—Lower Sheriff Run	Basin	Forest	HQ-CWF	None
3—Tionesta Creek	Basin, Lower Sheriff Run to Fools Creek	Forest	CWF	None
4—Fools Creek	Basin	Forest	HQ-CWF	None
[4—Wildcat Run	Basin	Forest	CWF	None]
3—Tionesta Creek	Basin, Fools Creek to Minister Creek	Forest	CWF	None
4—Minister [Run] Creek	Basin	Forest	HQ-CWF	None
[4—Porcupine Run	Basin	Forest	CWF	None]
3—Tionesta Creek	Basin, Minister Creek to Blood Run	Forest	CWF	None
4—Blood Run	Basin	Forest	HQ-CWF	None
3—Tionesta Creek	Basin, Blood Run to Logan Run	Forest	CWF	None
4—Logan Run	Basin	Forest	CWF	None
[4—Phelps Run	Basin	Forest	CWF	None
4—Kingsley Run	Basin	Forest	CWF	None]
3—Tionesta Creek	Basin, Logan Run to Bobbs Creek	Forest	CWF	None
4—Bobbs Creek	Basin	Forest	HQ-CWF	None
[4—Little Minister Run	Basin	Forest	CWF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Tionesta Creek	Basin, Bobbs Creek to Fork Run	Forest	CWF	None
4—Fork Run	Basin	Forest	HQ-CWF	None
3—Tionesta Creek	Basin, Fork Run to Salmon Creek	Forest	CWF	None
4—Salmon Creek	[Main Stem] Basin, Source to Fourmile Run	Forest	HQ-CWF	None
[5—Unnamed Tributaries to Salmon Creek	Basins	Forest	HQ-CWF	None
5—Little Salmon Creek	Basin	Forest	HQ-CWF	None
5—Guiton Run	Basin	Forest	HQ-CWF	None]
5—Fourmile Run	Basin	Forest	EV	None
[5—Twomile Run	Basin	Forest	HQ-CWF	None
5—The Branch	Basin	Forest	HQ-CWF	None
4—Church Run	Basin	Forest	CWF	None
4—Carpenter Run	Basin	Forest	CWF	None
4—Lamentation Run	Basin	Forest	CWF	None]
4—Salmon Creek	Basin, Fourmile Run to Mouth	Forest	HQ-CWF	None
3—Tionesta Creek	Basin, Salmon Creek to Bear Creek	Forest	CWF	None
4—Bear Creek	Basin	Forest	HQ-CWF	None
3—Tionesta Creek	Basin, Bear Creek to Ross Run	Forest	CWF	None
4—Ross Run	Basin	Forest	HQ-CWF	None
[4—Jakes Run	Basin	Forest	CWF	None
4—Jug Handle Run	Basin	Forest	CWF	None]
3—Tionesta Creek	Basin, Ross Run to Little Coon Creek	Forest	CWF	None
4—Little Coon Creek	Basin	Forest	HQ-CWF	None
[4—Coon Creek	Basin	Forest	CWF	None
4—Piney Run	Basin	Forest	CWF	None
4—Sugar Run	Basin	Forest	CWF	None
4—Little Piney Run	Basin	Forest	CWF	None
4—Glasner Run	Basin	Forest	CWF	None
4—Johns Run	Basin	Forest	CWF	None
4—Peters Run	Basin	Forest	CWF	None
3—Little Tionesta Creek	Basin	Forest	CWF	None
3—Bates Run	Basin	Forest	CWF	None
3—Indian Camp Creek	Basin	Forest	CWF	None
3—Holeman Run	Basin	Venango	CWF	None
3—Stewart Run	Basin	Venango	CWF	None
3—Fox Run	Basin	Venango	CWF	None
3—Johnston Run	Basin	Venango	CWF	None]
3—Tionesta Creek	Basin, Little Coon Creek to Mouth	Forest	CWF	None
3—Tributaries to Allegheny River	Basins, Tionesta Creek to Hemlock Creek	Forest-Venango	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Hemlock Creek	Basin	Venango	EV	None
[3—McCrea Run	Basin	Venango	CWF	None
3—Culver Run	Basin	Venango	CWF	None
3—Muskrat Run	Basin	Venango	CWF	None
3—Pithole Creek	Basin	Venango	CWF	None
3—Panther Run	Basin	Venango	CWF	None
3—Lamb Run	Basin	Venango	CWF	None
3—Horse Creek	Basin	Venango	CWF	None
3—Carney Run	Basin	Venango	CWF	None
3—Sage Run	Basin	Venango	CWF	None]
3—Tributaries to Allegheny River	Basins, Hemlock Creek to Oil Creek	Venango	CWF	None
3—Oil Creek	[Main Stem, Source to Cherrytree Run] Basin, Source to Thompson Creek	Venango	CWF	None
[4—Unnamed Tributaries to Oil Creek	Basins, Source to Cherrytree Run	Crawford-Venango	CWF	None
4—West Shreve Run	Basin	Crawford	CWF	None
4—East Shreve Run	Basin	Crawford	CWF	None
4—Mosey Run	Basin	Crawford	CWF	None
4—Bloomfield Run	Basin	Crawford	CWF	None
4—East Branch Oil Creek	Basin	Crawford	CWF	None
4—Marsh Run	Basin	Crawford	CWF	None]
4—Thompson Creek	Basin, Source to Shirley Run	Crawford	CWF	None
5—Shirley Run	Basin	Crawford	HQ-CWF	None
[4—Church Run	Basin	Crawford	CWF	None]
4—Thompson Creek	Basin, Shirley Run to Mouth	Crawford	CWF	None
3—Oil Creek	Basin, Thompson Creek to Pine Creek	Crawford	CWF	None
4—Pine Creek	Basin, Source to Caldwell Creek	Crawford	HQ-CWF	None
5—Caldwell Creek	Basin, Source to West Branch Caldwell Creek	Warren	HQ-CWF	None
6—West Branch Caldwell Creek	Basin	Warren	EV	None
5—Caldwell Creek	Basin, West Branch Caldwell Creek to Mouth	Crawford	EV	None
4—Pine Creek	Basin, Caldwell Creek to Mouth	Crawford	CWF	None
[4—Benninghof Run	Basin	Venango	CWF	None]
3—Oil Creek	Basin, Pine Creek to Cherrytree Run	Crawford	CWF	None
4—Cherrytree Run	Basin	Venango	CWF	None
3—Oil Creek	Main Stem, Cherrytree Run to Mouth	Venango	WWF	None
4—[Unnamed] Tributaries to Oil Creek	Basins, Cherrytree Run to [Mouth] Cherry Run	Venango	CWF	None
4—Cherry Run	Basin, Source to Rouseville Corporate Boundary at 41° 28' 37.5" N; 79° 40' 47.9" W	Venango	HQ-CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Cherry Run	Basin, Rouseville Corporate Boundary to Mouth	Venango	CWF	None
[4—Cornplanter Run	Basin	Venango	CWF	None
3—Holiday Run	Basin	Venango	CWF	None
3—Charley Run	Basin	Venango	CWF	None
3—Brannon Run	Basin	Venango	CWF	None
3—Seneca Run	Basin	Venango	CWF	None
3—Twomile Run	Basin	Venango	CWF	None]
4—Tributaries to Oil Creek	Basins, Cherry Run to Mouth	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Oil Creek to French Creek	Venango	CWF	None
3—French Creek (NY)				
4—Unnamed Tributaries to French Creek	Basins (all sections in PA), Source to PA-NY State Border at 42° 1' 12.1" N; 79° 45' 42.7" W	Erie	WWF	None
4—Cutting Brook	Basin (all sections in PA)	Erie	WWF	None
4—Herrick Creek	Basin (all sections in PA)	Erie	WWF	None
3—French Creek	[Main Stem, PA-NY State Border to Mouth] Basin (all sections in PA), PA-NY State Border to Hubble Run	[Venango] Erie	WWF	None
[4—Unnamed Tributaries to French Creek	Basins (all sections in PA), PA-NY State Border to Mouth	Erie-Crawford-Venango	WWF	None]
4—Hubble Run	Basin (including the Wattsburg Fen), Source to the 1350 ft Contour Line [(Union City 7 1/2 Quadrangle)] at 41° 58' 10.2" N; 79° 45' 58.7" W	Erie	HQ-WWF	None
4—Hubble Run	Basin, 1350 ft. Contour Line to Mouth	Erie	WWF	None
3—French Creek	Basin, Hubble Run to West Branch French Creek	Erie	WWF	None
4—West Branch French Creek (NY)				
5—[Unnamed] Tributaries to West Branch French Creek	Basins (all sections in PA), Source to PA-NY State Border at 42° 7' 57.8" N; 79° 45' 43.1" W	Erie	WWF	None
4—West Branch French Creek	[Main Stem] Basin (all sections in PA), PA-NY State Border to Mouth	Erie	WWF	None
[5—Unnamed Tributaries to West Branch French Creek	Basins (all sections in PA), PA-NY State Border to Mouth	Erie	WWF	None
5—Darrow Brook	Basin (all sections in PA)	Erie	WWF	None
5—Townley Run	Basin	Erie	WWF	None
5—Alder Brook	Basin	Erie	WWF	None
5—Bailey Brook	Basin	Erie	WWF	None]
3—French Creek	Basin, West Branch French Creek to Lake Pleasant Outlet	Erie	WWF	None
4—Lake Pleasant Outlet	Basin	Erie	HQ-CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—French Creek	Basin, Lake Pleasant Outlet to Alder Run	Erie	WWF	None
4—Alder Run	Basin	Erie	CWF	None
3—French Creek	Basin, Alder Run to South Branch French Creek	Erie	WWF	None
4—South Branch French Creek	Basin, Source to Beaver Run	Erie	CWF	None
5—Beaver Run	Basin	Erie	EV	None
4—South Branch French Creek	Basin, Beaver Run to Mouth	Erie	CWF	None
[4—Wheeler Creek	Basin	Erie	WWF	None]
3—French Creek	Basin, South Branch French Creek to Le Boeuf Creek	Erie	WWF	None
4—Le Boeuf Creek	Basin, Source to Trout Run	Erie	TSF	None
5—Trout Run	Basin	Erie	HQ-CWF	None
4—LeBoeuf Creek	Basin, Trout Run to Mouth	Erie	TSF	None
3—French Creek	Basin, Le Boeuf Creek to Campbell Run	Erie-Crawford	WWF	None
4—Campbell Run	Basin	Crawford	TSF	None
3—French Creek	Basin, Campbell Run to Kelly Run	Crawford	WWF	None
4—Kelly Run	Basin	Crawford	HQ-CWF	None
3—French Creek	Basin, Kelly Run to Muddy Creek	Crawford	WWF	None
4—Muddy Creek	Basin, Source to East Branch Muddy Creek	Crawford	HQ-CWF	None
5—East Branch Muddy Creek	Basin	Crawford	HQ-CWF	None
4—Muddy Creek	Main Stem, East Branch Muddy Creek to Mackey Run	Crawford	HQ-TSF	None
5—[Unnamed] Tributaries to Muddy Creek	Basins, East Branch Muddy Creek to Mackey Run	Crawford	HQ-CWF	None
[5—Federal Run	Basin	Crawford	HQ-CWF	None]
5—Mackey Run	Basin	Crawford	HQ-CWF	None
4—Muddy Creek	Basin, Mackey Run to Mouth	Crawford	HQ-TSF	None
[4—Mohawk Run	Basin	Crawford	WWF	None]
3—French Creek	Basin, Muddy Creek to Conneauttee Creek	Crawford	WWF	None
4—Conneauttee Creek	Basins, Source to Outlet of Edinboro Lake	Erie	WWF	None
4—Conneauttee Creek	Main Stem, Outlet of Edinboro Lake to Erie-Crawford County Border at 41° 50' 58.9" N; 80° 5' 50.2" W	Erie-Crawford	TSF	None
5—[Unnamed] Tributaries to Conneauttee Creek	Basins, Outlet of Edinboro Lake to Erie-Crawford County Border	Erie	WWF	None
[5—Darrows Creek	Basin	Crawford	WWF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Conneauttee Creek	[Main Stem, Erie-Crawford County Border to Mouth] Basin, Erie-Crawford County Border to Little Conneauttee Creek	Crawford	WWF	None
[5—Unnamed Tributaries to Conneauttee Creek	Basins, Erie-Crawford County Border to Mouth	Crawford	WWF	None
5—Torry Run	Basin	Crawford	WWF	None]
5—Little Conneauttee Creek	Basin	Crawford	CWF	None
4—Conneauttee Creek	Basin, Little Conneauttee Creek to Mouth	Crawford	WWF	None
[4—Boles Run	Basin	Crawford	WWF	None
4—Gravel Run	Basin	Crawford	WWF	None
4—Wolf Run	Basin	Crawford	WWF	None]
3—French Creek	Basin, Conneauttee Creek to Woodcock Creek	Crawford	WWF	None
4—Woodcock Creek	Basin, Source to Woodcock Creek Reservoir Dam	Crawford	HQ-CWF	None
4—Woodcock Creek	Basin, Woodcock Reservoir Dam to Mouth	Crawford	CWF	None
[4—Cussewago Creek	Basin	Crawford	WWF	None
4—Van Horne Creek	Basin	Crawford	WWF	None]
3—French Creek	Basin, Woodcock Creek to Conneaut Outlet	Crawford	WWF	None
4—Conneaut Outlet	Basin, Source to Conneaut Lake Dam	Crawford	HQ-WWF	None
4—Conneaut Outlet	Basin, Conneaut Lake Dam to Mouth	Crawford	WWF	None
3—French Creek	Basin, Conneaut Outlet to Little Sugar Creek	Crawford	WWF	None
4—Little Sugar Creek	Basin	Crawford	CWF	None
[4—Foulk Run	Basin	Mercer	WWF	None
4—Powdermill Run	Basin	Mercer	WWF	None
4—North Deer Creek	Basin	Mercer	WWF	None]
3—French Creek	Basin, Little Sugar Creek to McCune Run	Crawford-Mercer-Venango	WWF	None
4—McCune Run	Basin	Venango	CWF	None
3—French Creek	Basin, McCune Run to Mill Creek	Venango	WWF	None
4—Mill Creek	Basin	Venango	CWF	None
3—French Creek	Basin, Mill Creek to Sugar Creek	Venango	WWF	None
4—Sugar Creek	Basin, Source to East Branch Sugar Creek [(RM 17.0)] at 41° 36' 13.8" N; 79° 51' 7.7" W	Crawford	CWF	None
5—East Branch Sugar Creek	Basin, Source to SR 0428 Bridge at 41° 38' 28.9" N; 79° 49' 20.0" W	Crawford	CWF	None
5—East Branch Sugar Creek	Basin, SR 0428 Bridge to Mouth	Crawford	HQ-CWF	None

PROPOSED RULEMAKING

6693

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Sugar Creek	Basin, East Branch Sugar Creek to Mouth	Venango	CWF	None
[4—Patchel Run	Basin	Venango	WWF	None]
3—French Creek	Basin, Sugar Creek to Mouth	Venango	WWF	None
3—[Unnamed] Tributaries to Allegheny River	Basins, French Creek to [RM 106.70] Lower Twomile Run	Venango	WWF	None
3—Lower Twomile Run	Basin	Venango	CWF	None
[3—Siefer Run	Basin	Venango	WWF	None
3—Ajax Run	Basin	Venango	WWF	None]
3—Tributaries to Allegheny River	Basins, Lower Twomile Run to East Sandy Creek	Venango	WWF	None
3—East Sandy Creek	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, East Sandy Creek to Snyder Run	Venango	WWF	None
3—Snyder Run	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Snyder Run to Sandy Creek	Venango	WWF	None
3—Sandy Creek	Main Stem	Venango	WWF	None
	* * * * *			
4—Ditzenberger Run	Basin	Venango	WWF	None
[3—Clark Run	Basin	Venango	WWF	None]
3—Tributaries to Allegheny River	Basins, Sandy Creek to Pine Hill Run	Venango	WWF	None
3—Pine Hill Run	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Pine Hill Run to Dennison Run	Venango	WWF	None
3—Dennison Run	Basin	Venango	EV	None
3—Tributaries to Allegheny River	Basins, Dennison Run to Scrubgrass Creek	Venango	WWF	None
3—Scrubgrass Creek	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Scrubgrass Creek to UNT 51240 at 41° 15' 41.8" N, 79° 49' 53.7" W	Venango	WWF	None
3—[Unnamed Tributary to Allegheny River at RM 106.70] UNT 51240	Basin	Venango	CWF	None
[3—Unnamed Tributaries to Allegheny River	Basins, RM 106.70 to Clarion River	Venango-Clarion	WWF	None]
3—Tributaries to Allegheny River	Basins, UNT 51240 to Roberts Run	Venango	WWF	None
3—Roberts Run	Basin	Venango	CWF	None
[3—Falling Spring Run	Basin	Venango	WWF	None]
3—Tributaries to Allegheny River	Basins, Roberts Run to Whitherup Run	Venango	WWF	None
3—Whitherup Run	Basin	Venango	CWF	None
[3—Perry Run	Basin	Venango	WWF	None
3—Whann Run	Basin	Venango	WWF	None]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Tributaries to Allegheny River	Basins, Whitherup Run to Little Scrubgrass Creek	Venango	WWF	None
3—Little Scrubgrass Creek	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Little Scrubgrass Creek to Shull Run	Venango	WWF	None
3—Shull Run	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Shull Run to Mill Creek	Venango	WWF	None
3—Mill Creek	Basin	Venango	CWF	None
3—Tributaries to Allegheny River	Basins, Mill Creek to Richey Run	Venango	WWF	None
3—Richey Run	Basin	Clarion-Venango	CWF	None
[3—Lowrey Run	Basin	Butler	WWF	None
3—Fowler Run	Basin	Armstrong	WWF	None]
3—Tributaries to Allegheny River	Basins, Richey Run to Clarion River	Venango-Clarion	WWF	None

§ 93.9r. Drainage List R.

Ohio River Basin in Pennsylvania
Clarion River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
1—Ohio River				
2—Allegheny River				
3—Clarion River				
4—East Branch Clarion River	Basin, Source to Confluence with West Branch	Elk	HQ-CWF	None
4—West Branch Clarion River	[Main Stem, Source to Confluence with East Branch] Basin, Source to Wolf Run	Elk	CWF	None
[5—Unnamed Tributaries to West Branch Clarion River	Basins, Source to Confluence with East Branch	McKean-Elk	CWF	None
5—Windfall Run	Basin	McKean	CWF	None
5—Sicily Run	Basin	McKean	CWF	None
5—Buck Run	Basin	McKean	CWF	None
5—Rocky Run	Basin	Elk	CWF	None
5—Nearing Run	Basin	Elk	CWF	None
5—Wilson Run	Basin	Elk	CWF	None
5—Oil Creek	Basin	Elk	CWF	None]
5—Wolf Run	Basin	Elk	HQ-CWF	None
[5—Meffert Creek	Basin	Elk	CWF	None]
4—West Branch Clarion River	Basin, Wolf Run to Silver Creek	Elk	CWF	None
5—Silver Creek	Basin	Elk	HQ-CWF	None
4—West Branch Clarion River	Basin, Silver Creek to Confluence with East Branch	Elk	CWF	None

PROPOSED RULEMAKING

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<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Clarion River	[Main Stem, Confluence of East and West Branches to Inlet of Piney Lake at RM 37.4] Basin, Confluence of East and West Branches to Riley Run	[Clarion] Elk	CWF	None
[4—Unnamed Tributaries to Clarion River	Basins, Confluence of East and West Branches to Inlet of Piney Lake at RM 37.4	Elk-Forest-Jefferson-Clarion	CWF	None
4—Johnson Run	Basin	Elk	CWF	None
4—Powers Run	Basin	Elk	CWF	None]
4—Riley Run	Basin	Elk	WWF	None
3—Clarion River	Basin, Riley Run to Little Mill Creek	Elk	CWF	None
4—Little Mill Creek	Basin	Elk	HQ-CWF	None
[4—Mason Creek	Basin	Elk	CWF	None
4—Elk Creek	Basin	Elk	CWF	None
4—Island Run	Basin	Elk	CWF	None]
3—Clarion River	Basin, Little Mill Creek to Big Mill Creek	Elk	CWF	None
4—Big Mill Creek	Basin	Elk	HQ-CWF	None
[4—Connerville Run	Basin	Elk	CWF	None
4—Dog Hollow Run	Basin	Elk	CWF	None
4—Gillis Run	Basin	Elk	CWF	None]
3—Clarion River	Basin, Big Mill Creek to Little Toby Creek	Elk	CWF	None
4—Little Toby Creek	[Main Stem] Basin, Source to Sawmill Run	Elk	CWF	None
[5—Unnamed Tributaries to Little Toby Creek	Basins	Elk-Jefferson	CWF	None
5—Limestone Run	Basin	Elk	CWF	None
5—Kyler Run	Basin	Elk	CWF	None
5—McCauley Run	Basin	Elk	CWF	None]
5—Sawmill Run	Main Stem	Elk	CWF	None
6—Unnamed Tributaries to Sawmill Run	Basins	Elk	CWF	None
6—[Lost Run] UNT 50397 at 41° 17' 39.8" N; 78° 38' 6.3" W (locally known as Lost Run)	Basin, Source to Fox Township Municipal Authority Dam	Elk	HQ-CWF	None
6—[Lost Run] UNT 50397	Basin, Fox Township Municipal Authority Dam to Mouth	Elk	CWF	None
[5—Brandy Camp Creek	Basin	Elk	CWF	None
5—Johnson Run	Basin	Elk	CWF	None
5—Bear Run	Basin	Elk	CWF	None
5—Oyster Run	Basin	Elk	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
5—Mead Run	Basin	Elk	CWF	None]
4—Little Toby Creek	Basin, Sawmill Run to Boggy Run	Elk	CWF	None
5—Boggy Run	Basin	Elk	HQ-CWF	None
4—Little Toby Creek	Basin, Boggy Run to Whetstone Branch	Elk	CWF	None
5—Whetstone Branch	Basin, Source to Brockway Municipal Authority No. 1 Dam	Elk	HQ-CWF	None
5—Whetstone Branch	Basin, Brockway Municipal Authority No. 1 Dam to Mouth	Elk	CWF	None
[5—Walburn Run	Basin	Jefferson	CWF	None]
4—Little Toby Creek	Basin, Whetstone Branch to Rattlesnake Creek	Jefferson	CWF	None
5—Rattlesnake Creek	Basin, Source to Brockway Municipal Authority Dam	Jefferson	HQ-CWF	None
5—Rattlesnake Creek	Basin, Brockway Municipal Authority Dam to Mouth	Jefferson	CWF	None
[5—Baghdad Run	Basin	Jefferson	CWF	None
5—Jenkins Run	Basin	Jefferson	CWF	None
5—Little Vineyard Run	Basin	Jefferson	CWF	None]
4—Little Toby Creek	Basin, Rattlesnake Creek to Vineyard Run	Jefferson	CWF	None
5—Vineyard Run	Basin	Elk	HQ-CWF	None
[5—Coward Run	Basin	Elk	CWF	None
5—Laurel Run	Basin	Elk	CWF	None
5—Bearmouth Run	Basin	Elk	CWF	None]
4—Little Toby Creek	Basin, Vineyard Run to Mouth	Jefferson	CWF	None
3—Clarion River	Basin, Little Toby Creek to Bear Creek	Elk	CWF	None
4—Bear Creek	Basin	Elk	HQ-CWF	None
[4—Mahood Run	Basin	Elk	CWF	None
4—Beech Bottom Run	Basin	Elk	CWF	None
4—Lake City Run	Basin	Elk	CWF	None
4—Cole Run	Main Stem	Elk	CWF	None
5—Unnamed Tributaries to Cole Run	Basins	Elk	CWF	None]
3—Clarion River	Basin, Bear Creek to Crow Run	Elk	CWF	None
[5] 4—Crow Run	Basin, Source to Cole Run	Elk	HQ-CWF	None
[4—Irwin Run	Basin	Elk	CWF	None]
5—Cole Run	Basin	Elk	CWF	None
4—Crow Run	Basin, Cole Run to Mouth	Elk	HQ-CWF	None
3—Clarion River	Basin, Crow Run to Spring Creek	Elk	CWF	None
4—Spring Creek	Basin	Elk	HQ-CWF	None
3—Clarion River	Basin, Spring Creek to Maxwell Run	Elk	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Maxwell Run	Basin	Elk	HQ-CWF	None
[4—Elliott Run	Basin	Elk	CWF	None
4—Daugherty Run	Basin	Jefferson	CWF	None
4—Raught Run	Basin	Elk	CWF	None
4—Painter Run	Basin	Elk	CWF	None
4—Church Run	Basin	Elk	CWF	None]
3—Clarion River	Basin, Maxwell Run to Callen Run	Elk-Jefferson	CWF	None
4—Callen Run	Basin	Jefferson	HQ-CWF	None
[4—Cline Run	Basin	Elk	CWF	None]
3—Clarion River	Basin, Callen Run to Wyncoop Run	Elk-Jefferson	CWF	None
4—Wyncoop Run	Basin	Elk	HQ-CWF	None
[4—Leeper Run	Basin	Elk	CWF	None
4—Pine Run	Basin	Elk	CWF	None]
3—Clarion River	Basin, Wyncoop Run to Mill Stone Creek	Elk-Jefferson	CWF	None
4—Mill Stone Creek	Basin	Elk	HQ-CWF	None
[4—Shippen Run	Basin	Forest	CWF	None]
3—Clarion River	Basin, Mill Stone Creek to Clear Creek	Elk-Jefferson-Forest	CWF	None
4—Clear Creek	Basin	Jefferson	HQ-CWF	None
[4—Tadler Run	Basin	Jefferson	CWF	None]
3—Clarion River	Basin, Clear Creek to Cherry Run	Jefferson-Forest	CWF	None
4—Cherry Run	Basin	Forest	HQ-CWF	None
3—Clarion River	Basin, Cherry Run to Maple Creek	Jefferson-Forest	CWF	None
4—Maple Creek	Basin	Forest	HQ-CWF	None
3—Clarion River	Basin, Maple Creek to Coleman Run	Jefferson-Forest	CWF	None
4—Coleman Run	Basin	Forest	HQ-CWF	None
3—Clarion River	Basin, Coleman Run to Troutman Run	Jefferson-Forest	CWF	None
4—Troutman Run	Basin	Forest	HQ-CWF	None
[4—Henry Run	Basin	Forest	CWF	None]
3—Clarion River	Basin, Troutman Run to Toms Run	Jefferson-Forest	CWF	None
4—Toms Run	Basin, Source to Little Hefren Run	Clarion	EV	None
5—Little Hefren Run	Basin	Clarion	CWF	None
4—Toms Run	Basin, Little Hefren Run to Mouth	Forest	EV	None
3—Clarion River	Basin, Toms Run to Cathers Run	Jefferson-Clarion	CWF	None
4—[Cather] Cathers Run	Basin	Clarion	HQ-CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
3—Clarion River	Basin, Cathers Run to Maxwell Run	Clarion	CWF	None
4—Maxwell Run	Basin	Clarion	HQ-CWF	None
3—Clarion River	Basin, Maxwell Run to Blyson Run	Clarion	CWF	None
4—Blyson Run	Basin	Clarion	EV	None
3—Clarion River	Basin, Blyson Run to Inlet of Piney Lake at 41° 14' 11.6" N, 79° 19' 21.3" W	Clarion	CWF	None
3—Clarion River	Main Stem, Inlet of Piney Lake at [RM 37.4] at 41° 14' 11.6" N, 79° 19' 21.3" W to Mouth	Clarion	WWF	None
4—[Unnamed] Tributaries to Clarion River	Basins, Inlet of Piney Lake at [RM 37.4 to Mouth] at 41° 14' 11.6" N, 79° 19' 21.3" W to Mill Creek	Clarion	CWF	None
4—Mill Creek	[Main Stem, Source to Little Mill Creek] Basin, Source to McCanna Run	Clarion	HQ-CWF	None
[5—Unnamed Tributaries to Mill Creek	Basins, Source to Little Mill Creek	Clarion-Jefferson	HQ-CWF	None
4—Mill Creek				
5—Parks Run	Basin	Jefferson	HQ-CWF	None
5—Martin Run	Basin	Jefferson	HQ-CWF	None
5—Rankin Run	Basin	Jefferson	HQ-CWF	None
5—Updike Run	Basin	Jefferson	HQ-CWF	None]
5—McCanna Run (Pendleton Run)	Basin	Clarion	EV	None
4—Mill Creek	Basin, McCanna Run to Little Mill Creek	Clarion	HQ-CWF	None
5—Little Mill Creek	Basin	Clarion	CWF	None
4—Mill Creek	Main Stem, Little Mill Creek to Mouth	Clarion	CWF	None
5—Unnamed Tributaries to Mill Creek	Basins, Little Mill Creek to Mouth	Clarion	HQ-CWF	None
5—Douglass Run	Basin	Clarion	CWF	None
5—Woods Run	Basin	Clarion	HQ-CWF	None
5—Stroup Run	Basin	Clarion	HQ-CWF	None
5—Trap Run	Basin	Clarion	HQ-CWF	None
5—Whites Run	Basin	Clarion	CWF	None
[4—Reeds Run	Basin	Clarion	CWF	None
4—Toby Creek	Basin	Clarion	CWF	None
4—Trout Run	Basin	Clarion	CWF	None
4—Courtleys Run	Basin	Clarion	CWF	None
4—Piney Creek	Basin	Clarion	CWF	None
4—Deer Creek	Basin	Clarion	CWF	None]
4—Tributaries to Clarion River	Basins, Mill Creek to Canoe Creek	Clarion	CWF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
4—Canoe Creek	Basin	Clarion	HQ-CWF	None
4—Tributaries to Clarion River	Basins, Canoe Creek to Beaver Creek	Clarion	CWF	None
4—Beaver Creek	Basin	Clarion	HQ-CWF	None
[4—Licking Creek	Basin	Clarion	CWF	None]
4—Tributaries to Clarion River	Basins, Beaver Creek to Turkey Creek	Clarion	CWF	None
4—Turkey Creek	Basin	Clarion	HQ-CWF	None
4—Tributaries to Clarion River	Basins, Turkey Creek to Mouth	Clarion	CWF	None

§ 93.9s. Drainage List S.

Ohio River Basin in Pennsylvania
Allegheny River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
		* * * * *		
3—Mahoning Creek	Main Stem, Confluence of East Branch Mahoning Creek and Stump Creek to Mouth	Jefferson	WWF	None
4—Unnamed Tributaries to Mahoning Creek	Basins, Confluence to East Branch Mahoning Creek and Stump Creek to Mouth	Jefferson-Indiana-Armstrong	CWF	None
4—Big Run	Basin	Jefferson	CWF	None
4—Rock Run	Basin	Jefferson	CWF	None
4—Graffius Run	Basin	Jefferson	CWF	None
4—Jackson Run	Basin	Jefferson	CWF	None
4—Canoe Creek	Basin	Jefferson	CWF	None
		* * * * *		
4—Cathcart Run	Basin	Armstrong	CWF	None
4—Hamilton Run	Basin	Armstrong	CWF	None
4—Cave Run	Basin	Armstrong	CWF	None
4—Scrubgrass Creek	Basin	Armstrong	CWF	None
3—Wiskey Creek	Basin	Armstrong	WWF	None
3—Pine Creek	Basin	Armstrong	HQ-CWF	None
3—Hays Run	Basin	Armstrong	WWF	None
3—Limestone Run	Basin	Armstrong	WWF	None
3—Cowanshannock Creek	Basin, Source to Huskins Run	Armstrong	WWF	None
4—Huskins Run	Basin	Armstrong	WWF	None
3—Cowanshannock Creek	Main Stem, Huskins Run to Mouth	Armstrong	TSF	None
4—[Unnamed] Tributaries to Cowanshannock Creek	Basins, Huskins Run to Mouth	Armstrong	WWF	None
3—Garretts Run	Basin	Armstrong	WWF	None
		* * * * *		

§ 93.9t. Drainage List T.

Ohio River Basin in Pennsylvania
Kiskiminetas River

Stream	Zone	County			Water Uses Protected	Exceptions To Specific Criteria
		*	*	* * *		
6—Quemahoning Creek	Main Stem			Somerset	CWF	None
7—Unnamed Tributaries to Quemahoning Creek	Basins			Somerset	CWF	None
7—Hoffman Run	Basin			Somerset	CWF	None
7—North Branch Quemahoning Creek	Main Stem			Somerset	CWF	None
		*	*	* * *		
7—Spruce Run	Basin			Somerset	CWF	None
6—Kaufman Run	Basin			Somerset	CWF	None
6—Paint Creek	Main Stem, Source to Little Paint Creek			Cambria-Somerset	CWF	None
		*	*	* * *		
6—Spring Run	Basin			Cambria	CWF	None
[6—Trout Run	Basin			Cambria	CWF	None]
6—Kane Run	Basin			Cambria	CWF	None
6—North Branch Little Conemaugh River	Basin			Cambria	CWF	None
		*	*	* * *		
6—Unnamed Tributaries to McGee Run	Basins, Farthest Upstream Crossing of Derry Borough Border to Mouth			Westmoreland	CWF	None
6—Hillside Run	Basin			Westmoreland	CWF	None
6—Trout Run	Basin, Source to inlet of Blairsville Reservoir			Westmoreland	EV	None
		*	*	* * *		

§ 93.9v. Drainage List V.

Ohio River Basin in Pennsylvania
Monongahela River

Stream	Zone	County			Water Uses Protected	Exceptions To Specific Criteria
		*	*	* * *		
5—Tub Mill Run	Basin			Somerset	CWF	None
5—Piney Creek	[Main Stem] Basin (all Sections in PA)			Somerset	CWF	None
[6—Unnamed Tributaries to Piney Creek	Basins (all Sections in PA)			Somerset	CWF	None
6—Little Piney Creek	Basin			Somerset	CWF	None]
5—Miller Run	Basin			Somerset	CWF	None
5—Flaugherty Creek	Basin			Somerset	CWF	None
		*	*	* * *		
7—Unnamed Tributaries to East Branch Coxes Creek	Basins, PA 281 at 40° 0' 43.8" N; 79° 4' 27.5" W to Confluence with West Branch			Somerset	TSF	None
7—Parsons Run	Basin			Somerset	TSF	None
7—Kimberly Run	Basin			Somerset	CWF	None
		*	*	* * *		

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
6—Laurel Run	Basin	Somerset	WWF	None
6—Rice Run	Basin	Somerset	WWF	None
6—Wilson Creek	Basin	Somerset	WWF	None
		* * *		
6—Isers Run	Basin	Somerset	EV	None
5—Lost Run	Basin	Somerset	WWF	None
5—McClintock Run	Basin	Somerset	CWF	None
		* * *		

§ 93.9w. Drainage List W.

Ohio River Basin in Pennsylvania
Ohio River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
		* * *		
3—Shenango River	Main Stem, Shenango Reservoir Dam to Point 1.0 River Mile Downstream	Mercer	TSF	None
4—Unnamed Tributaries to Shenango River	Basins, Shenango Reservoir Dam to Point 1.0 River Mile Downstream	Mercer	CWF	None
3—Shenango River	Main Stem (all sections in PA), 1.0 River Mile Downstream of Shenango Reservoir Dam to Confluence with Mahoning River	Lawrence	WWF	None
4—Unnamed Tributaries to [Shanango] Shenango River	Basins (all sections in PA), 1.0 River Mile Downstream of Shenango Reservoir Dam to Confluence with Mahoning River	Mercer-Lawrence	WWF	None
4—McCullough Run	Basin (all sections in PA)	Mercer	WWF	None
4—Thornton Run	Basin	Mercer	WWF	None
		* * *		

§ 93.9x. Drainage List X.

Lake Erie

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
1—Lake Erie	All sections of lake in PA except Outer Erie Harbor and Presque Isle Bay	Erie	CWF	Delete Fe[, DO ₁ and Bac ₁] and DO ₁ See GLWQA [Add E. coli per 40 CFR 131.41 (Except (f)) and See 28 Pa. Code § 18.28(b)(2) and (3)]

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
1—Lake Erie (Outer Erie Harbor and Presque Isle Bay)	Portion of lake bordered by Presque Isle on west, longitude 80° 01' 50" on east, and latitude 42° 10' 18" on north, except harbor area and central channel dredged and maintained by United States Army Corps of Engineers	Erie	WWF	Delete pH Add pH between 7 and 9 [Add E. coli per 40 CFR 131.41 (Except (f)) and See 28 Pa. Code § 18.28(b)(2) and (3)]

The following criterion is specific to Lake Erie (Outer Erie Harbor and Presque Isle Bay) waters in the Harbor area and central channel dredged and maintained by United States Army Corps of Engineers, based on special studies.

Parameter Symbol	Criteria			Critical Use*
Bacteria Bac₂	(Coliforms/100 ml)—Maximum of 5,000/100 ml as a monthly average value, no more than this number in more than 20% of the samples collected during a month, nor more than 20,000/100 ml in more than 5% of the samples.			PWS
1—Lake Erie (Outer Erie Harbor and Presque Isle Bay)	Harbor area and central channel dredged and maintained by United States Army Corps of Engineers	Erie	WWF, Delete WC	Delete pH and Bac ₁ Add pH between 7 and 9, Bac ₂
2—Unnamed Tributaries to Lake Erie	Basins (all sections in PA), PA-OH State Border to Presque Isle	Erie	CWF, MF	None
	* * * * *			

§ 93.9z. Drainage List Z.

Potomac River Basin in Pennsylvania
Potomac River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
		* * * * *		
3—Little Wills Creek	Basin	Somerset	HQ-CWF, MF	None
3—Thompson Run	Basin	Somerset	HQ-CWF, MF	None
3—Gladdens Run	Basin	Somerset	HQ-CWF, MF	None
		* * * * *		

[Pa.B. Doc. No. 17-1766. Filed for public inspection October 20, 2017, 9:00 a.m.]

STATEMENTS OF POLICY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

[25 PA. CODE CH. 16]

Water Quality Toxics Management Strategy

The Department of Environmental Protection (Department) is proposing to amend Chapter 16 (relating to water quality toxics management strategy—statement of policy) to read as set forth in Annex A.

A. Effective Date

The proposed amendments will be effective upon final publication in the *Pennsylvania Bulletin*.

B. Contact Persons

For further information, contact Thomas A. Barron, Chief, Standards Section, Water Quality Division, Bureau of Clean Water, 11th Floor, Rachel Carson State Office Building, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-9637; or Michelle Moses, Assistant Counsel, Bureau of Regulatory Counsel, 9th Floor, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed statement of policy is available on the Department's web site at www.dep.pa.gov.

C. Summary of Amendments

Proposed amendments to § 16.1 (relating to general) clarify that a list of site-specific criteria is no longer maintained in Chapter 16.

Proposed amendments to § 16.21 (relating to acute and chronic protection) clarify endpoints, magnitude and duration.

Proposed amendments to § 16.22 (relating to criteria development) update the cross-reference to Chapter 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance).

Proposed amendments to § 16.23 (relating to sources of information) add the ECOTOX computerized database as a source for aquatic life information. Reference to the Aquire database is proposed to be deleted because it is no longer available.

Proposed amendments to § 16.24 (relating to metals criteria) add the availability of the Biotic Ligand Model (BLM) to determine site-specific metals criteria.

Proposed amendments to § 16.32 (relating to threshold level toxic effects) add Benchmark Dose Modeling (BDM) as an alternative way of calculating adverse effect levels for human health criteria development. Also, references to the *National Recommended Water Quality Criteria* (EPA-822-H-04-001, 2004) and Exhibit 3-1 of the *Water Quality Standards Handbook, Second Edition*, EPA 823-0-94-005A, August 1994, as sources of developing water quality criteria are proposed to be deleted. The Department uses the United States Environmental Protection Agency's (EPA) *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* (Methodology) (EPA-822-B-00-004, October 2000) as its source for

method development. The Department is proposing to update the exposure factors for average body weight, drinking water intake and consumption of fish per day to reflect the latest scientific information, and to implement existing guidelines in EPA's Methodology for deriving human health criteria.

In §§ 16.33, 16.51 and 16.61 (relating to nonthreshold effects (cancer); human health and aquatic life criteria; and special provisions for the Great Lakes System), to maintain the consistency of the ambient water quality criteria throughout this Commonwealth, language pertaining to criteria from Appendix A, Table 1A and Chapter 93, Table 5 not applying to the Great Lakes System is proposed to be deleted. Current criteria available in Chapter 93, Table 5 are applicable to the final water quality guidance for the Great Lakes System (final guidance) published at 60 FR 15366 (March 23, 1995) in which the Department agreed to create criteria as protective as the criteria created using the Great Lakes Initiative (GLI) guidelines.

Additional clarification is proposed to be added to § 16.52 (relating to Whole Effluent Toxicity Testing (WETT)) regarding requirements and implementation of whole effluent toxicity testing (WETT) under Chapter 92a and Chapter 252 (relating to environmental laboratory accreditation). This will clarify that the Department may require WETT, under § 92a.21(d)(4) (relating to application for a permit), for any discharges covered by an NPDES permit or other activities, when it is determined that testing is necessary to assure protection of aquatic life. When WETT is required, the Department will also use design conditions and other applicable factors as a basis for evaluating test results. Additional clarification is added that WETT shall also be conducted in accordance with Chapter 252 and the NPDES permit.

Proposed amendments to § 16.102 (relating to approved EPA and DEP analytical methods and detection limits) delete language that pertains to Appendix A, Tables 1A, 2B and 3. Site-specific criteria in Appendix A, Table 1A will be populated and maintained on the Department's web site. References to the EPA-approved analytical methods and guidelines are proposed to be added to this section.

In Appendix A, Table 1A is proposed to be deleted. The heading of Table 2A is proposed to be amended and will contain methods developed and approved by the Department. In Tables 2A and 2B, the other analytical methods, are proposed to be deleted. Table 3 is proposed to be deleted as the information is redundant and found in 40 CFR Parts 122, 136, 141, 143, 430, 455 and 465. Section 16.102 is proposed to be updated to complement the changes made to the tables in Appendix A.

D. Public Comments

The Department invites public comments on this proposed statement of policy and will accept comments through December 29, 2017. Comments, including comments submitted by e-mail, must include the originator's name and address. A subject heading of the proposal and return name and address must also be included in each transmission. Commentators are urged to submit comments using the Department's online eComment system at www.ahs.dep.pa.gov/eComment. Written comments should be submitted by e-mail to ecomment@pa.gov or by mail to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O.

Box 2063, Harrisburg, PA 17105-2063. Comments submitted by facsimile will not be accepted.

E. Public Hearings

The Department will hold three public hearings on the proposed amendments to Chapter 16. The public hearings will take place on the same date and at the same location where the Environmental Quality Board will conduct public hearings on the proposed amendments to Chapter 93 (relating to water quality standards). The public hearings will begin at 1 p.m. as follows:

- | | |
|-------------------|--|
| December 6, 2017 | Department of Environmental Protection
Northeast Regional Office
2nd Floor Conference Room
2 East Main Street
Norristown, PA 19401 |
| December 8, 2017 | Department of Environmental Protection
Southcentral Regional Office
Susquehanna Conference Room
909 Elmerton Avenue
Harrisburg, PA 17110 |
| December 14, 2017 | Department of Environmental Protection
Southwest Regional Office
Waterfront Conference Rooms A and B
400 Waterfront Drive
Pittsburgh, PA 15222 |

Persons wishing to present testimony at the Chapter 16 hearings are requested to contact Thomas A. Barron at (717) 787-9637 or tbarron@pa.gov at least 1 week in advance of a hearing to reserve a time to present testimony. Oral testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Thomas A. Barron at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

(Editor's Note: See 47 Pa.B. 6609 (October 21, 2017) for a proposed rulemaking relating to this proposed statement of policy.)

Fiscal Note: 7-516. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart A. PRELIMINARY PROVISIONS

ARTICLE II. STATEMENTS OF POLICY

CHAPTER 16. WATER QUALITY TOXICS MANAGEMENT STRATEGY—STATEMENT OF POLICY

Subchapter A. GUIDELINES FOR DEVELOPMENT OF CRITERIA FOR TOXIC SUBSTANCES AND WATER QUALITY CRITERIA FOR TOXIC SUBSTANCES

INTRODUCTION

§ 16.1. General.

Water quality criteria are the numeric concentrations, levels or surface water conditions that need to be maintained or attained to protect existing and designated uses. They are designed to protect the water uses listed in Chapter 93 (relating to water quality standards). The most sensitive of these protected uses are generally water supply, recreation and fish consumption, and aquatic life related. Therefore, criteria designed to protect these uses will normally protect the other uses listed in Chapter 93. This chapter specifies guidelines and procedures for development of criteria for toxic substances [**and also lists those site-specific criteria which have been developed**].

GUIDELINES FOR DEVELOPMENT OF AQUATIC LIFE CRITERIA

§ 16.21. Acute and chronic protection.

To provide for protection of aquatic life, it is necessary to consider both chronic, that is, long-term (reproduction, growth, survival) and acute or short-term (survival) [**concepts**] **endpoints**. Aquatic life can generally survive excursions of elevated concentrations of a pollutant as long as the excursion is of relatively short duration and does not frequently recur. However, to provide protection over a lifetime, a lower concentration shall be maintained. Thus, each aquatic life criterion consists of two [**components**] **magnitudes**. The EPA defines these as a criterion maximum concentration (CMC) for acute protection and a criterion continuous concentration (CCC) for chronic protection. Each [**component is further**] **criterion is** defined in terms of magnitude (a scientifically derived number), duration (the period of time over which the number must be achieved), and the maximum desired frequency (the number of repetitions per unit time) of occurrence. Consistent with this approach, the Department whenever possible develops acute and chronic criteria and specifies the applicable magnitude and duration. The frequency of occurrence is accounted for through the specification of factors appropriate to the criteria in Chapter 96 (relating to water quality standards implementation). **Basis for the magnitude, duration and frequency is described in criteria development rationale or other appropriate supporting documentation.**

§ 16.22. Criteria development.

The Department will establish criteria for toxic substances to provide for protection of aquatic life in accordance with the following guidelines:

- (1) For those toxics for which the EPA has developed criteria in accordance with the National guidelines as set forth in "Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses" (1985), as amended and updated, the Department will review and evaluate the criteria. If the Department determines that the criteria are adequate to protect indigenous aquatic communities in the State's waters, these criteria will serve as the basis for establishing total maximum daily loads (TMDLs) under Chapter 96 (relating to water quality standards implementation) or NPDES effluent limitations under

Chapter [92] 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance). If the Department determines that the EPA National criteria are inappropriate, the Department will adjust these criteria in accordance with National guidelines to reflect the levels required for protection of aquatic life in this Commonwealth's waters.

(2) For those toxics identified or expected in a discharge for which the EPA has not developed criteria, the Department will develop criteria using EPA approved National guidelines.

§ 16.23. Sources of information.

The Department will use the following sources of information in establishing criteria for aquatic life protection:

(1) United States EPA 1986 Quality Criteria for Water (Goldbook).

(2) United States EPA Ambient Water Quality Criteria Development Documents and updates.

(3) Aquatic life toxicity data available in the published scientific literature.

(4) Aquatic life toxicity data available on EPA computerized databases (for example, [aquire] ECOTOX, Great Lakes Initiative (GLI) Clearinghouse).

§ 16.24. Metals criteria.

(a) [The] Metals criteria are established to control the toxic portion of a substance in the water column. Depending upon available data, aquatic life criteria for metals are expressed as either dissolved or total recoverable. As information develops, the chemical identifiers for the toxic portion may be added, changed or refined. The criteria form one of the bases for water quality-based effluent limitations, which are expressed as total recoverable metal. **When calculating equation-based metals criteria for determining effluent limitations, the criteria must be developed in accordance with § 93.8c (relating to human health and aquatic life criteria for toxic substances).**

(b) Chemical translators are used to convert dissolved criteria into effluent limitations which are required by Federal regulations to be expressed as total recoverable metal. The default chemical translator used by the Department is the reciprocal of the conversion factor (listed in the Conversion Factors Table located in § 93.8b (relating to metals criteria)) that was used to determine the dissolved criterion. **If a NPDES discharger performs a chemical translator study for a dissolved criterion, the study of this site-specific translator should be conducted in accordance with the EPA's "The Metals Translator: Guidance for Calculating a Total Recoverable Permit Limit from a Dissolved Criterion" (June 1996), as amended and updated.**

(c) NPDES dischargers may request alternate effluent limitations by using site-specific water quality characteristics in a request to modify an existing water quality criterion, in accordance with § 93.8d (relating to development of site-specific water quality criteria). [This is accomplished by performing a site-specific chemical translator study for a dissolved criterion. A water effect ratio (WER) study may also be conducted, based on either total recoverable or dissolved criteria, depending on the form of the criterion.] This may be accomplished through one or more of the following methods:

(1) Recalculating a water quality criterion in accordance with the EPA's "Interim Guidance on the Determination and Use of Water-Effect Ratios for Metals, Appendix B: The Recalculation Procedure" (February 1994), as amended and updated. The Recalculation Procedure accounts for corrections, updates and additions to the original criterion dataset to create an appropriate dataset to calculate the site-specific criterion. If the optional deletion process is used to evaluate the taxonomic composition, this process should follow the EPA's "Revised Deletion Process for the Site-Specific Recalculation Procedure for Aquatic Life Criteria" (April 2013).

(2) Developing a water quality criterion by performing a Water Effect Ratio (WER) study, which is a factor that expresses the difference between the measures of the toxicity of a substance in laboratory water and the toxicity in site water. The WER provides a mechanism to account for that portion of a metal which is toxic under certain physical, chemical or biological conditions. WERs are applicable only to certain metals, which are listed by the EPA in "Interim Guidance on the Determination and Use of Water-Effect Ratios for Metals" (February 1994), as amended and updated.

(3) Developing a water quality criterion by performing a Biotic Ligand Model (BLM) study for copper in freshwater systems. The BLM is a metal bioavailability model that uses receiving water body characteristics and monitoring data to develop site-specific water quality criteria. The BLM is used in evaluating the differences in the availability and toxicity of metals. These differences occur as a result of variation in local water chemistry. The BLM may be used to derive site-specific criteria for copper in freshwater systems. The BLM incorporates the best available science for determining site-specific water quality criteria for copper and is therefore preferred by the Department. Subject to Departmental approval of the testing and its results, the Department will evaluate the use of the BLM to establish alternate site-specific criteria. In the absence of available site data to run the BLM, estimates for missing water quality parameters may be developed using EPA's guidance "Draft Technical Support Document: Recommended Estimates for Missing Water Quality Parameters for Application in EPA's Biotic Ligand Model" (March 2016), as amended and updated.

(4) Developing a water quality criterion using other guidance approved by the Department, which is based on other EPA-approved or scientifically defensible methodologies.

(d) [A WER is a factor that expresses the difference between the measures of the toxicity of a substance in laboratory water and the toxicity in site water. The WER provides a mechanism to account for that portion of a metal which is toxic under certain physical, chemical or biological conditions. At this time, WERs are applicable only to certain metals, which are listed by the EPA in "Guidance on the Determination and Use of Water-Effect Ratios for Metals" (February 1994), as amended and updated. Subject to Departmental approval of the testing and its results, the Department will use the WER to establish an alternate

site-specific criterion.] The discharger may choose to conduct either the WER or BLM. Either the WER or BLM may be combined with a chemical translator study or the Recalculation Procedures. If the Recalculation Procedure is selected, the procedure requires the recalculation of the existing criterion before the WER is applied.

[(e) Chemical translator studies must be conducted in accordance with the EPA's interim final document, "The Metals Translator: A Guidance for calculating a total recoverable permit limit from a dissolved criterion" (June 1996), as amended and updated.

(f) Final reports on the studies shall be submitted to the Department within 60 days of completion. Upon approval of the study results, the Department will use the chemical translator or WER, or both, to determine revised effluent limitations.]

GUIDELINES FOR DEVELOPMENT OF HUMAN HEALTH-BASED CRITERIA

§ 16.32. Threshold level toxic effects.

* * * * *

(b) Control of threshold toxics is based upon animal testing or epidemiological studies that report no- or lowest-observed adverse effect levels of the substance (NOAEL or LOAEL). In evaluating a particular toxic, toxicologists weigh the merits of all the tests, and choose, in their best professional judgment, the safe level. By applying standard margins of safety to the NOAEL, extrapolations from the laboratory animals to humans (factor of 10), for sensitive subpopulations (10), and from short-term to chronic studies (10) can be taken into account. An additional factor of 10 is used if only a LOAEL is available. Modifying factors (1—10), which account for deficiencies in the toxicity studies, are also considered in determining an acceptable exposure level. The current term for this acceptable level is reference dose (RfD); it was previously called the acceptable daily intake (ADI). **Adverse effect levels may be calculated using Benchmark Dose Modeling (BMD). The purpose of the BMD is to derive a point of departure for calculating a risk value, such as a reference dose or a reference concentration. In the customary approach, the point of departure is the NOAEL or the LOAEL. The BMD values are calculated by dividing a point of departure by the uncertainty factors. This most sensitive effect is also called the critical effect, and it is used as the point of departure in establishing a toxicity benchmark. The RfD can be calculated using a LOAEL, a NOAEL or BMD. It is adjusted for protection of an average ([70] 80 Kg) person. It is then divided by expected exposure [condition] conditions to result in an applicable criterion. [Except as provided in § 16.61(b)(2) (relating to special provisions for the Great Lakes System), exposure] Exposure conditions by means of water include [2] 2.4 liters per day of drinking water and consumption of [17.5] 22.0 grams of fish per day. [Bioconcentration] The bioaccumulation of toxics in edible portions of fish is accounted for by use of [bioconcentration factors (BCF)] bioaccumulation factors (BAF). [BCF] The BAF is the ratio in liters per kilogram [of a substance's concentration in tis-**

sues of an aquatic organism to its concentration in the ambient water] that accounts for the chemical accumulation in aquatic organisms from all potential exposure routes, including water, food and sediment.

(c) The Department will establish criteria for threshold toxics in accordance with the following guidelines:

(1) If the EPA has developed criteria, the Department will evaluate and accept the criteria when it is determined that they are adequate to protect the designated water uses.

(2) If the EPA criteria have been evaluated, and have been determined to be inadequate to protect designated uses, or when no criteria have been developed for a substance identified or expected in a discharge, the Department will develop criteria following EPA's standard toxicological procedures outlined in the Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health (EPA-822-B-00-004, October 2000) [and the *National Recommended Water Quality Criteria* (EPA-822-H-04-001, 2004), as amended and updated or Exhibit 3-1 of the *Water Quality Standards Handbook, Second Edition, EPA 823-0-94-005A, August, 1994*], as amended and updated.

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§ 16.33. Nonthreshold effects (cancer).

* * * * *

(e) The Department uses a 1×10^{-6} cancer risk level as specified in § 93.8a(d) (relating to [**water quality criteria for**] toxic substances). Attainment of this risk level is predicated on exposure that includes drinking [2] 2.4 liters of water and ingesting [17.5] 22.0 grams of fish per day over a 70-year lifetime [, except as provided in § 16.61(b)(2) (relating to special criteria for the Great Lakes Systems)]. Bioaccumulation of carcinogenic toxics in edible portions of fish are accounted for by use of bioaccumulation factors (BAFs).

* * * * *

WATER QUALITY CRITERIA FOR TOXIC SUBSTANCES

§ 16.51. Human health and aquatic life criteria.

(a) [**Appendix A, Table 1A and**] Chapter 93, Table 5 [**list**] lists the human health and aquatic life criteria for toxic substances which the Department uses in development of effluent limitations in NPDES Permits and for other purposes. [**Appendix A, Table 1A lists**] **The Department will maintain a table of site-specific human health and aquatic life criteria that have been developed or reviewed and approved by the Department. The approved analytical procedures and detection limits for these substances will be listed, as appropriate, in Table 2A.** The human health criteria, which include exposures from drinking water and fish consumption, are further defined as to the specific effect (that is, cancer or threshold health effects). For those aquatic life criteria which are [**hardness related and**] **a function of local water quality conditions and are** specified as a formula, such as several of the heavy metals, the [**Department will use the specific hardness of the receiving stream after mixing with the waste dis-**

charge in calculating criteria] hardness and pH values used to derive the appropriate water quality criteria will be determined by instream measurements or best estimates, representative of the median concentrations or conditions of the receiving stream for the applicable time period, and design conditions on a case-by-case basis. [The priority pollutant numbers (PP NO) used by the EPA to identify priority pollutants are included in Table 1A for reference purposes.] Some of these criteria may be superseded for the Delaware Estuary, Ohio River Basin, Lake Erie Basin, and Genesee River Basin under interstate and international compact agreements with the Delaware River Basin Commission, Ohio River Valley Sanitation Commission and International Joint Commission, respectively. The toxics substances in Chapter 93, Table 5 without a PP NO are [state-derived] **State-derived** criteria. [**The criteria in Appendix A, Table 1A and Chapter 93, Table 5 do not apply to the Great Lakes System.**] Water quality criteria for the Great Lakes System are [contained] in § 93.8e, Tables 6 and 7 [(relating to special criteria for the Great Lakes System)]. **Criteria in § 93.8c, Table 5 may apply to the Great Lakes System for those substances not listed in Table 6.** Criteria may be developed for the Great Lakes System for substances other than those listed in Table 5 or 6 under the methodologies in § 16.61 (relating to special provisions for the Great Lake System).

(b) If the Department determines that the natural quality of a surface water segment is of lower quality than the applicable criteria listed in Chapter 93, Table 5, the natural quality shall constitute the aquatic life criterion for that segment. [**All**] **Notice of all** draft natural quality determinations shall be published in the *Pennsylvania Bulletin* and be subject to a minimum [**30 day**] **45-day** comment period. The Department will maintain a publicly available list of surface waters and parameters where this subsection applies, and will, from time to time, submit appropriate amendments to these chapters. **Natural quality determinations are housed in stream investigation reports or water quality criteria rationale documents.**

§ 16.52. Whole Effluent Toxicity Testing (WETT).

The Department may [**impose WETT requirements on wastewater discharges**] require WETT, under § 92a.21(d)(4) (relating to application for a permit), for any discharges covered by an NPDES permit or other activities where it is determined that the testing is necessary to assure the protection of aquatic life. Where WETT is required, the Department will use the criteria of 0.3 TUA (Toxic Units Acute) and 1 TUC (Toxic Units Chronic), **design conditions and other applicable factors** as a basis for evaluating test results. WETT shall be conducted in accordance with 40 CFR Part 136 (relating to [**the establishment of**] **guidelines establishing** test procedures for the analysis of pollutants), **Chapter 252 (relating to environmental laboratory accreditation), the NPDES permit, Quality Assurance Quality Control [(QA/QC)]** guidance issued by the Department[,] or other protocols approved by the Department.

GREAT LAKES SYSTEM

§ 16.61. Special provisions for the Great Lakes System.

* * * * *

(b) *Water quality criteria for the Great Lakes System.*

* * * * *

(2) *Human health criteria.* Human health criteria for the Great Lakes System will be developed using the methods in §§ 16.32 and 16.33 (relating to threshold level toxic effects; and nonthreshold effects (cancer))[, **except that fish consumption is 15 grams per day**]. **If criteria for a substance is not available in § 93.8, Table 5 or 6, and there are insufficient data to develop human health threshold criteria for a toxic substance identified in a discharge into these waters, the Department will develop, or require the discharger to develop, subject to Department approval, protective human health values using the methodologies in 40 CFR Part 132, Appendix C, Section III, as it relates to Tier II values, in accordance with exposure inputs in §§ 16.32 and 16.33, and guidance issued by the Department.**

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Subchapter B. ANALYTICAL METHODS AND DETECTION LIMITS FOR TOXIC SUBSTANCES

GENERAL PROVISIONS

§ 16.102. Approved EPA [**Analytical Methods and Detection Limits**] and DEP analytical methods and detection limits.

[(a) **Appendix A, Tables 2A and 2B contain the following data elements and is to be used as follows:**] **Appendix A, Table 2A contains approved Department analytical methods and detection limits. The following data elements are to be used as follows:**

(1) [**Parameter + (CAS) is the chemical name preceded by an alphanumeric code for the priority pollutants. Other inorganics (metals) listed on the application form have also been included.**] The Chemical Abstracts Service (CAS) number, a unique chemical identifier, is [**also listed**] **to be used for completeness of identification. The CAS number should always be verified to ensure proper identification, particularly with chemicals with ambiguous or unfamiliar names, or both.**

(2) **If the EPA has an approved test method for analysis of a specific pollutant, the NPDES permittee shall use the approved test method (or an approved alternate test method) for the specific pollutant under 40 CFR Part 136 (relating to guidelines establishing test procedures for the analysis of pollutants). Methods [number + (description) includes the approved EPA method by identifying number and an abbreviated description of each. The methods] are detailed in one or more of the following sources:**

(i) [**Methods for Chemical Analysis of Water and Wastes, EPA 600/4-79-020, Revised March 1984.**] **EPA-approved analytical methods and guidelines in 40 CFR Parts 122, 136, 141, 143, 430, 455 and 465.**

EPA-approved analytical methods must be sufficiently sensitive and capable of detecting and measuring the pollutants at, or below, the applicable water quality criteria or permit limits consistent with the EPA's regulations in 40 CFR Part 122 (relating to EPA administered permit programs: the National Pollutant Discharge Elimination System) and 40 CFR Part 136.

(ii) [40 CFR Part 136 (relating to guidelines establishing test procedures). The EPA provides a list of still other sources for these methods in 40 CFR Part 136. Methods that were not developed by the EPA, that is, have no EPA identifying method number, but are approved by the EPA for use in NPDES related analyses are marked with an asterisk (*) in Appendix A, Tables 2A and 2B.] If an EPA-approved analytical method is not available for a pollutant, an analytical method may be used that is capable of detecting and measuring the pollutant at or below the applicable water quality criterion or permit limit. The analytical method should be consistent with guidelines for developing analytical methods, as described in this chapter.

(iii) *Standard Methods for the Examination of Water and Wastewater*, 20th Edition, APHA-AWWA-WEF, 1998.

(iv) *Hach Handbook of Wastewater Analysis*, Hach Chemical Company, 1979.

(v) *Direct Current Plasma (DCP) Optical Emission Spectrometric Method for Trace Elemental Analysis of Water and Wastes, Method AES0029*. Applied Research Laboratories, Inc., 1986—Revised 1991, Fison Instruments, Inc.

(vi) *ASTM Annual Book of Standards, Section 11, Water*. American Society for Testing and Materials, 1999.

(3) MDL is the method detection limit for each chemical for each method. The MDL is defined as the minimum concentration that can be measured and reported with 99% confidence that the value is above zero—that is, something is really there. [**The MDL concentrations listed were obtained using reagent water. Similar results were achieved using representative wastewaters.**] The MDL achieved in a given analysis will vary depending on instrument sensitivity and matrix effects.

(i) When MDLs are not available, detection limits based on other criteria, [**such as instrument signal to noise ratios, are included in Appendix A**] approved by the Department, may be used. [**Table 3 Detection limits for metals are generally instrument detection limits.**]

(ii) For any pollutant with an effluent limitation below the method detection limit, the permittee is expected to generally achieve the detection limit of the most sensitive method that is below detection available.

(iii) If two approved analytical methods for the same parameter have detection limits that differ by less than 1 ug/l or a factor of 2 (whichever is greater), the permit may be written designating either method as acceptable. The permittee also has the option of using an alternate method approved by the Department and the EPA that the permittee selects as long as he achieves the level of detection of the cited method or the numerical water quality-based limit.

(iv) [**The primary source for detection limits in Appendix A, Tables 2A and 2B is EPA MDL studies. However, when**] When the EPA has not performed an MDL study or reported the detection limit, other sources—particularly, Standard Methods—are consulted. When there is no literature on detection limit, the Department's Bureau of Laboratories may [**be asked to determine the detection limit based on an MDL study**] develop a detection limit or review and approve a Department-accredited lab's development of a detection limit using an MDL study.

(4) Permittees will be required to meet the detection limits listed in Appendix A, [**Tables 2A and 2B**] **Table 2A. [If the detection limit is not listed, a permittee shall develop a detection limit using an MDL study.]**

(5) When permittees cannot meet a listed detection limit, they may be granted case-specific MDLs if they submit complete documentation demonstrating a matrix effect in their particular effluent. The permittees shall follow the procedure for determining MDLs published [**as**] in Appendix B of 40 CFR Part 136 [**(relating to guidelines establishing text procedures)**]. The Bureau of Laboratories will evaluate the data and advise the regional office of their decision.

[**(b) Appendix A, Table 3 gives a more detailed description of the EPA 600-series of analytical procedures for organic pollutants. Further detail is contained in 40 CFR Part 136.**]

APPENDIX A

(*Editor's Note: The Department is proposing to delete Appendix A, Table 1A, which appears on 25 Pa. Code page 16-16, serial page (367480).*)

TABLE 1A

[Reserved]

TABLE 2A
APPROVED [EPA] DEP ANALYTICAL METHODS AND DETECTION LIMITS [: INORGANICS]

	<i>Parameter (CAS)</i>	<i>Method Number (Description) [*]Source</i>	<i>Detection Limit (μl/l)</i>
[—	ALUMINUM	3111 D (AA, flame)	N/A
	(07429905)	3113 B (AA, furnace)	3
		200.7 (ICP/AES)	20
		200.8 (ICP/MS)	1
		200.9 (STGFAA)	7.8
		3500 Al B*¹ (Colorimetric)	6
		D4190-94*⁴ (DCP)	N/A
1M	ANTIMONY	3111 B (AA, flame)	70
	(07440360)	3113 B (AA, furnace)	3
		200.7 (ICP)	32
		200.8 (ICP/MS)	0.4
		200.9 (STGFAA)	0.8
2M	ARSENIC	3113 B (AA, furnace)	1
	(07440382)	3114 B. d (AA, hydride)	N/A
		3500 B (SDDC)	2
		200.7 (ICP/AES)	8
		200.8 (ICP/MS)	1.4
		200.9 (STGFAA)	0.5
—	BARIUM	3111 D (AA, flame)	N/A
	(14798084)	3113 B (AA, furnace)	2
		200.7 (ICP/AES)	1
		200.8 ICP/MS	1.4
		—*³ (DCP)	N/A
3M	BERYLLIUM	3111 D (AA, flame)	N/A
		3113 B (AA, furnace)	0.2
		200.7 (ICP/AES)	0.3
		200.8 (ICP/MS)	0.3
		200.9 (STGFAA)	.02
		3500-Be D*¹ (Colorimetric)	5
		D4190-94, 99*⁴ (DCP)	N/A
—	BORON	4500 B (Colorimetric)	0.2
	(07440428)	200.7 (ICP/AES)	3
		D4190-94, 99*⁴ (DCP)	N/A
4M	CADMIUM	3111 B OR C (AA, flame)	3
		3113 B (AA, furnace)	0.1
		200.7 (ICP/AES)	1
		200.8 (ICP/MS)	0.5
		200.9 (STGFAA)	.05
		3500-Cd D*¹ (Colorimetric)	0.5
		D3557-95, 02(C)*⁴ (Voltametry)	N/A
		D4190-94, 99*⁴ (DCP)	N/A
5M	CHROMIUM	3111 B (AA, flame)	20
	TOTAL	3113 B (AA, furnace)	2
	(07440473)	3111 C (AA, extraction)	N/A
		200.7 (ICP/AES)	4

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	<i>Parameter (CAS)</i>	<i>Method Number (Description) [*]Source</i>	<i>Detection Limit (μ/l)</i>
		200.8 (ICP/MS)	0.9
		200.9 (STGFAA)	0.1
		D4190-94, 99* ⁴ (DCP)	N/A
		3500-Cr B* ¹ (Colorimetric)	N/A
5M	CHROMIUM	3111 C (AA extraction)	N/A
	VI	3120* ¹ (ICP)	7
	(07440473)	218.6 (Ion Chromatography)	N/A
—	COBALT	3111 B (AA, flame)	30
	(07440484)	3113 B (AA, furnace)	1
		200.7 (ICP/AES)	2
		200.8 (ICP/MS)	.09
		200.9 (STGFAA)	0.7
		D4190-94, 99* ⁴ (DCP)	N/A
6M	COPPER	3111 B (AA, flame)	10
	(07440508)	3113 B (AA, furnace)	1
		200.7 (ICP/AES)	3
		200.8 (ICP/MS)	0.5
		200.9 (STGFAA)	0.7
		3500-Cu B* ¹ (Colorimetric)	3
		3500-Cu C* ¹ (Colorimetric)	20
		D4190-94, 99* ⁴ (DCP)	N/A
—	IRON	3111 B or C (AA, flame)	20
	(07439921)	3113 B (AA, furnace)	1
		200.7 (ICP/AES)	30
		200.9 (STGFAA)	N/A
		3500-Fe B* ¹ (Colorimetric)	10
		D4190-94, 99* ⁴ (DCP)	N/A
7M	LEAD	3111 B or C (AA, flame)	50
	(07439921)	3113 B (AA, furnace)	1
		200.7 (ICP/AES)	10
		200.8 (ICP/MS)	0.6
		200.9 (STFGAA)	0.7
		3500-Pb B* ¹ (Colorimetric)	N/A
		D3559-96, 03(C)* ⁴ (Voltametry)	N/A
		D4190-94, 99* ⁴ (DCP)	N/A
—	MAGNESIUM	3111 B (AA, flame)	0.5
	(07439954)	200.7 (ICP/AES)	20
		3500-Mg D* ¹ (Gravimetric)	N/A
		—* ³ (DCP)	N/A
—	MANGANESE	3111 B (AA, flame)	10
	(07439965)	3113 B (AA, furnace)	0.2
		200.7 (ICP/AES)	1
		200.8 (ICP/MS)	0.1
		200.9 (STGFAA)	0.3
		3500-Mn B* ¹ (Colorimetric)	6
		8034-* ² (Colorimetric)	N/A
		D4190-94, 99* ⁴ (DCP36)	N/A

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	<i>Parameter (CAS)</i>	<i>Method Number (Description) [*]Source</i>	<i>Detection Limit (μ/l)</i>
8M	MERCURY	245.1 (Cold vapor, Man)	0.2
	(07439976)	245.2 (Cold vapor, Auto)	0.2
		245.7 (CVAFS)	N/A
		1631 E (Purge and Trap CVAFS)	0.0002
—	MOLYBDENUM	3111 D (AA, flame)	N/A
	(07439987)	3113 B (AA, furnace)	1
		200.7 (ICP/AES)	4
		200.8 (ICP/MS)	0.3
9M	NICKEL	3111 B or C (AA, flame)	20
	(07440020)	3113 B (AA, furnace)	1
		200.7 (ICP/AES)	5
		200.8 (ICP/MS)	0.5
		200.9 (STGFAA)	0.6
		3500-Ni D*¹ (Colorimetric)	N/A
		D4190-94, 99*⁴ (DCP)	N/A
10M	SELENIUM	3113 B (AA, furnace)	2
	(07782492)	200.7 (ICP/AES)	20
		200.8 (ICP/MS)	7.9
		200.9 (STGFAA)	0.6
		3114B*¹ (AA, gaseous hydride)	2
11M	SILVER	3111 B or C (AA, flame)	10
	(07440224)	3113 B (AA, furnace)	0.2
		200.7 (ICP/AES)	2
		200.8 (ICP/MS)	0.1
		200.9 (STGFAA)	0.6
		—*³ (DCP)	N/A
—	STRONTIUM	200.7 (ICP/AES)	0.01
	(07440246)	200.8 (ICP/MS)	2.0
		6010B (ICP/AES)	0.01
		6020 (ICP/MS)	1.0
12M	THALLIUM	3111 B (AA, flame)	N/A
	(07440280)	279.2 (AA, furnace)	1
		200.7 (ICP/AES)	1
		200.8 (ICP/MS)	0.3
		200.9 (STGFAA)	0.7
—	TIN	3111 B (AA, flame)	800
	(07440315)	3113 B (AA, furnace)	5
		200.7 (ICP/AES)	7
		200.9 (STGFAA)	1.7
—	TITANIUM	3111 D (AA, flame)	400
	(07440326)	283.2 (AA, furnace)	10
		—*³ (DCP)	N/A
13M	ZINC	200.7 (ICP/AES)	2
	(07440666)	3500-Zn E*¹ (Colorimetric)	1
		3500-Zn B*¹ (Colorimetric)	20
		289.2 (AA furnace)	.05
		200.8 (ICP/MS)	1.8

STATEMENTS OF POLICY

	<i>Parameter (CAS)</i>	<i>Method Number (Description) [*]Source</i>	<i>Detection Limit (μ/l)</i>
		D4190-94, 99*⁴ (DCP)	N/A
14M	CYANIDE, TOTAL (00057125)	4500-CN D*¹ (Titrimetric)	1000
		4500-CN E (Spectrophometric)	20
		335.4 (Color., Auto)	5]
** 14M	CYANIDE, FREE (00057125)	—(DEP Free CN method, Auto) Not EPA approved	1
		[4500-CN I*¹ Not EPA approved	N/A
		335.1 (Amenable to Chlor.)	N/A
	PHENOLS	420.1 (4AAP, Manual)	5
	TOTAL	420.4 (4AAP, Auto)	2]
—	BENZENE METADISULFONIC ACID (00098486)	OR 357A Test America, HPLC/UV or LC/MS/MS	50
—	BENZENE MONOSULFONIC ACID (00098113)	OR 357A Test America, HPLC/UV or LC/MS/MS	50
—	P-PHENOL SULFONIC ACID (00098679)	OR 357A Test America, HPLC/UV or LC/MS/MS	50

[* Not an EPA developed method, but approved by EPA

Source is:

¹—Standard Methods for the Examination of Water and Wastewater, 20th Edition. APHA-AWWA-WEF, 1998. The approved methods may also be found in Standard Methods for the Examination of Water and Wastewater, 18th or 19th Editions, but with different identifying numbers. For Selenium, the method number quoted is from the 19th Edition.

²—Hach Handbook of Wastewater Analysis. 1979.

³—Direct Current Plasma (DCP) Optical Emission Spectrometric Method for Trace Elemental Analysis of Water and Wastes, Method AES0029. Applied Research Laboratories, Inc., 1986—Revised 1991.

⁴—ASTM Annual Book of Standards, Section 11, Water. American Society for Testing and Materials, 1999.

**] * EPA currently measures “total cyanide” to satisfy cyanide limits and has not yet approved analytical methods for “free cyanide.” Free cyanide is a DEP required analysis, and either of the three listed methods are acceptable for its determination.

[NOTE: Metal samples are to be unfiltered and predigested for measurement of the total recoverable (not dissolved) fraction. Samples for dissolved measurement are to be field filtered.]

(Editor’s Note: The Department is proposing to delete Appendix A, Table 2B, which appears on 25 Pa. Code pages 16-22—16-34, serial pages (367486)—(367498).)

TABLE 2B
[Reserved]

(Editor’s Note: The Department is proposing to delete Appendix A, Table 3, which appears on 25 Pa. Code pages 16-35 and 16-36, serial pages (367499) and (367500).)

TABLE 3
[Reserved]

[Pa.B. Doc. No. 17-1767. Filed for public inspection October 20, 2017, 9:00 a.m.]

